United Nations E/C.12/SWE/6

Economic and Social Council

Distr.: General
16 March 2015

Original: English
English, French and Spanish only

Committee on Economic, Social and Cultural Rights

Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights

Sixth periodic report of States parties due in 2013

Sweden*

[Date received: 26 July 2013]

* The present document is being issued without formal editing.

GE.15-05104 (E)

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I. Introduction

1. This report contains a detailed description of the measures adopted by Sweden in connection with the implementation of the International Covenant on Economic, Social and Cultural Rights. The report also attaches importance to issues relating to the Concluding Observations of the Committee on Economic, Social and Cultural Rights (E/C.12/SWE/CO/5).

2. In its Concluding Observations, the Committee regrets that the Covenant has not been given full effect in the State party's domestic law and therefore cannot be directly invoked before courts.

3. Sweden adheres to the principle that international treaties do not automatically become part of Swedish legislation. International treaties must either be transformed into Swedish legislation or incorporated through a special enactment in order to become applicable. The traditional procedure for implementing an international agreement is to lay down equivalent provisions in an independent Swedish statute, where such provision does not already exist.

4. The preparation for the ratification of the International Covenant on Economic, Social and Cultural Rights included a comprehensive review aimed at ensuring that Swedish law was in conformity with the provisions of the Covenant. This review and the ensuing Parliamentary Bill led to the ratification of the Covenant.

5. The Swedish system is such that the material content of the Covenant is not directly applicable in Swedish courts or at Swedish authorities. However, under Swedish case law — as established by a number of rulings of the Supreme Court — Swedish domestic legislation and any amendments of it must be interpreted in accordance with Sweden's international undertakings.

6. A meeting with Swedish NGOs was held in the course of the preparation of the report where these organisations were invited to submit their views.

II. Implementation of the general provisions of the Covenant

Article 1 – Self-determination

7. It is the view of the Government of Sweden that indigenous peoples have the right to self-determination provided they satisfy the criteria of international law regarding what constitutes "a people" within the meaning of common Article 1 of the 1966 International Covenant on Civil and Political Rights and 1966 International Covenant on Economic, Social and Cultural Rights. The Sami are already recognised as an indigenous people and a national minority in Sweden. An amendment to one of the Swedish constitutional laws (Instrument of Government – RF), which entered into force on 1 January 2011, established that the Sami constituted "a people". The former objective laid down by statute on the responsibility of the public institutions was also replaced by a mandatory obligation to promote the opportunities of the Sami people and ethnic, linguistic and religious minorities to preserve and develop their own cultural and social life.

8. A central aspect of Sami self-determination is the Sami Parliament (*Sameting*), which was established in 1993 and is both a popularly elected body and a government agency. An increasing number of tasks have been gradually transferred from other government authorities to the Sami Parliament since its establishment. The mandate of the

Sami Parliament has also been extended to include participating in community development and ensuring that Sami needs are considered, including the interests of reindeer husbandry related to the use of land and water. The Sami Parliament represents the Sami people in various contexts in its capacity as a popularly elected body, and regular dialogue and deliberations take place between the State and the Sami Parliament. There is also regular dialogue with Sami interest groups.

9. The Act on National Minorities and National Minority Languages (2009:724) was passed in 2009 as part of an extensive reform of Swedish minority policy. This Act prescribes that administrative authorities shall afford national minorities an opportunity to influence the matters which concern them and shall, as far as possible, consult with representatives of the minorities on such issues. The Sami Parliament has been tasked, together with the County Administrative Board in the County of Stockholm, with monitoring compliance with this legislation. The Government will revert below on Swedish minority policy.

10. The Government presented a proposal in 2009 for a more formalised consultation procedure between the Sami Parliament and the Government, which would apply when preparing matters relating to laws or ordinances that deal specifically with Sami conditions and may be deemed to be of importance to the Sami culture or Sami interests in general. However, the Sami Parliament and the National Union of the Swedish Sami people rejected this proposal, which had been presented together with revised reindeer husbandry legislation and was intended to comprise part of a more extensive Government Bill on Sami policy that also covered land rights.

11. The Government therefore decided to put this Bill on hold, pending concrete proposals from the Sami Parliament and other Sami representatives. The Government's ambition is to further strengthen Sami self-determination with regard to more internal Sami affairs and other issues affecting the Sami people from a wider social perspective. It is the ambition of the Government to support opportunities for dialogue and consultation with other rights holders as part of this work.

12. Negotiations regarding a Nordic Sami Convention have been underway between Sweden, Finland and Norway since the spring of 2011. Each negotiation team comprises members of each country's Sami parliament in addition to government representatives. The aim of the Convention is to confirm and strengthen such rights for the Sami people as will allow the Sami people to preserve and develop their language, culture, livelihoods and way of life with the least possible hindrance by national boundaries.

13. Sami self-determination constitutes a key starting point for the Convention and its articles. The draft Convention also deals with issues relating to land rights raised in the course of deliberations regarding the ratification of ILO Convention 169. It is the hope and objective of the Swedish Government that the negotiation procedure will add impetus towards finding consensual solutions for outstanding issues, in full conformity with the international status of the Sami people.

Article 2 – Equality and non-discrimination

Work to combat discrimination and promote human rights at the national level

14. The Government's long-term objective is to ensure full respect for human rights in Sweden. This means that human rights — as expressed through Sweden's international undertakings — must not be violated. The Swedish legal system must comply with the international human rights conventions to which Sweden has acceded and these conventions are to be observed at all levels of society.

15. The fundamental rights and freedoms of individuals are expressed in both the constitutional and ordinary laws of Sweden. The provisions of Swedish law concerning the fundamental rights and freedoms of individuals are primarily directed at public activity within both central and local government. However, the State is endeavouring through other legislation to ensure that the human rights of individuals are also respected by third parties, for example by means of civil legislation relating to rights in working life and discrimination as well as penal legislation.

16. Two national action plans have formed the basis of the work to promote human rights at the national level over the past ten years. The last action plan covered the period 2006 to 2009 (Government Communication 2005/06:95). The content of the action plan is described in detail in the Swedish report from 2006.

17. A working group within the Government Offices deals with, among other things, Sweden's reporting to convention committees and other international bodies and the views and recommendations presented to Sweden by these bodies. All ministries are represented in the working group. In-formation about Sweden's international commitments relating to human rights, Government reports to international bodies and the recommendations presented by these bodies, etc. are disseminated via a special website (www.manskligarattigheter.se).

18. The national action plan for human rights has been evaluated by an Inquiry Chair (ToR 2009:118), which presented its report in April 2011: *Samlat, genomtänkt och uthålligt? En utvärdering av regeringens nationella handlingsplan för mänskliga rättigheter 2006–2009* [Coherent, Well-considered and Sustainable. An Evaluation of the Government's National Action Plan for Human Rights 2006–2009] (Swedish Government Official Reports – SOU 2011:29).

19. A Delegation for Human Rights in Sweden was established as a measure under the action plan to support the long-term work to ensure full respect for human rights in Sweden as set out in the national action plan. The Delegation submitted a final report on 2010, *Ny struktur för skydd av mänskliga rättigheter* [New Structure for the Protection of Human Rights] (Swedish Government Official Reports – SOU 2010:70). This report contains several proposals aimed at strengthening the protection of human rights in Sweden. The report has been referred for consultation and the proposals are being dealt with by the Government Offices.

20. Under the Swedish Constitution (Chapter 1, Article 2, fourth paragraph of the Instrument of Government – RF), the public institutions shall combat discrimination of persons on grounds of gender, colour, national or ethnic origin, linguistic or religious affiliation, functional disability, sexual orientation, age or other circumstance affecting the individual. Furthermore, courts of law, administrative authorities and others performing public administration functions shall pay regard in their work to the equality of all before the law and shall observe objectivity and impartiality (Chapter 1, Article 9 of RF). According to the Swedish Constitution, no act of law or other provision may imply the unfavourable treatment of anyone because they belong to a minority group by reason of ethnic origin, colour, or other similar circumstances or on account of their sexual orientation (Chapter 2, Article 12 of RF).

21. Correspondingly, no act of law or other provision may imply the unfavourable treatment of anyone on grounds of gender, unless the provision forms part of efforts to promote equality between men and women or relates to compulsory military service or other equivalent official duties (Chapter 2, Article 13 of RF). Discrimination is punishable as unlawful discrimination under certain conditions (Chapter 16, Section 9 of the Swedish Penal Code).

22. Effective and comprehensive legislation is necessary to enable the people of Sweden to achieve the objective of a society liberated from discrimination. The Government has laid the groundwork for combatting discrimination in society more effectively through the Discrimination Act (2008:567) — which includes more grounds of discrimination and more areas of society than previous laws against discrimination — and through the establishment of an Equality Ombudsman (DO).

23. The purpose of the Discrimination Act is to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. The DO is charged with ensuring compliance with the Discrimination Act. The DO investigates complaints relating to discrimination and may also bring proceedings at court for individuals who consent to this intervention. Individuals are not charged for having complaints dealt with by the DO.

24. Government grants for local activities to combat discrimination are distributed under the Ordinance on State Grants for Activities that Prevent and Combat Discrimination (2002:989) ("anti-discrimination offices"). These offices provide advice and support at local level regarding anti-discrimination laws. People who feel that they have been subjected to discrimination can refer to an anti-discrimination office for support and help. These offices work with all grounds of discrimination and they offer free legal advice. Grants for organisations working to combat discrimination, including the anti-discrimination offices, were put on a permanent footing from and including 2013. At the same time, there was an increase in the total amount of grants for such activities. By increasing the grants and making them permanent, the Government demonstrated that the work to combat discrimination must be continuous and that there is a need for individuals to have access to advice and support in respect of discrimination matters at local level.

25. The Parliamentary Ombudsmen (JO) supervises the application of laws and other regulations in public activities (Chapter 13, Article 6 of the Instrument of Government). The activities of the JO are also regulated by the Act with Instructions for the Parliamentary Ombudsmen (1986:765). According to these instructions, the Ombudsmen are to ensure in particular that the courts and public authorities in the course of their activities obey the injunction of the Instrument of Government about objectivity and impartiality and that the fundamental rights and freedoms of citizens are not encroached upon in public administration.

Global development partnerships

26. The United Nations conventions on human rights are fundamental to Swedish assistance, which stresses that work should be based on a rights perspective and the perspective of poor people on development, as for instance emphasised in the global development policy set out by the Riksdag. The purpose of our assistance work is to create opportunities for poor and vulnerable people to improve their living conditions.

27. Sweden supports both bilateral initiatives and development assistance via, among others, the European Union, United Nations and World Bank. Furthermore, Sweden helps by conducting extensive humanitarian work, but also emphasises long-term, capacity-strengthening initiatives within its bilateral and multilateral assistance. Sweden also clearly emphasises the importance of strengthening the partner countries' own responsibility for financing, for example by building up national tax bases and laying emphasis on local participation, so that those affected are consulted and can influence how the work is structured.

28. The Government's special initiative for women's and children's health has had a great impact within Swedish development partnerships. Grants for maternal and child health account for 70 per cent of overall Swedish health development assistance.

29. The Millennium Goals Report states that assistance to promote sexual and reproductive health and reduce maternal mortality is essential for achieving Millennium Goals 4 and 5. Sweden supports these conclusions and considers that there is very sound justification for focussing on sexual and reproductive health and rights (SRHR). Swedish bilateral and multilateral development assistance (for example, via UNICEF, UNFPA, GAVI, the Global Fund and WHO) indicate important results. Swedish assistance in Uganda has focused on SRHR among other things.

30. Development assistance via 81 organisations in civil society has reached over 825,000 people with information about risk factors and care for people affected by HIV and AIDS. Information material about HIV and AIDS (5 million copies) and condoms have been distributed.

31. Sweden's development assistance for education has focussed on Goal 2 of the Millennium Development Goals, which relates to the rights of all children to complete a full course of primary schooling, and Goal 3, which is about ensuring that as many girls as boys have the opportunity to go to school. Sweden has contributed to increased and fairer access to schooling within primary education in Bangladesh through development assistance to the Ministry of Education.

32. Sweden is resolutely striving to promote the rights and roles of women in this development. Development assistance for civil society organisations in Ethiopia promotes social, economic and cultural rights and targets the rights of girls, boys and women, including the economic empowerment of women and an increased capacity for citizens to invoke their rights. This assistance has helped to reduce violence against women; above all, female genital mutilation is an area showing very positive results.

33. Sweden also prioritises work relating to the economic empowerment of women and strengthening the equality perspective in growth-oriented sectors. These initiatives aim to, for example, improve the opportunities for people living in poverty to find a means to support themselves and also seek to create incentives for individuals to invest in the future and establish a platform for long-term economic growth.

Recommendation[1] 28

Reinforced minority policy

34. The Riksdag adopted a Government Bill in June 2009 *Från erkännande till egenmakt – regeringens strategi för de nationella minoriteterna* [From Recognition to Empowerment – the Government's Strategy for National Minorities] (Government Bill 2008/09:158, Report 2008/09:KU23, Riksdag Communication 2008/09:272). The new strategy is being implemented as of January 2010.

35. The judicial regulation of national minority rights has been clarified through a new coherent Act that applies at the national level, rather than just in certain parts of Sweden. The new Act on National Minorities and National Minority Languages (2009:724) replaces the previous acts on the right to use Sami, Finnish and Meänkieli. This Act entered into force on 1 January 2010.

[1] Unless otherwise indicated, the recommendations referred to in the present document are those contained in the Committee's concluding observations (E/C.12/SWE/CO/5).

A new act to indicate more clearly the responsibilities of society

36. General provisions have been introduced into the Minority Act to indicate more clearly the responsibilities of society. These obligations should be implemented and complied with throughout Sweden for all national minorities. General provisions have been introduced into the Act with regard to the information obligation for all state and municipal administrative authorities, the responsibility of public institutions to promote the opportunity for national minorities to preserve and develop their languages and cultures, together with the obligation to consult the national minorities.

37. The Government has described in previous reports the rights of those individuals who belong to a national minority to use their language in their dealings with public authorities and courts. This report consequently only describes the new legal regulations added within this area by virtue of the new Mnority Act.

Improvements in the right to use one's own language

38. Outside an administrative area, every individual has the right to use Finnish, Meänkieli or the Sami language in oral and written dealings relating to matters at the administrative agency to which such individual is a party or the representative of a party, provided the matter can be handled by staff who are proficient in the minority language.

39. Every individual always has the right to use Finnish or Sami in written dealings with the Parliamentary Ombudsmen, the Office of the Chancellor of Justice, the Swedish Social Insurance Agency, the Swedish Tax Agency and the Equality Ombudsman in matters where the individual is a party or the representative of a party. This is a new provision.

40. An obligation has been introduced to stimulate the recruitment of staff with good languages skills. Administrative authorities must strive to ensure that there is access to staff with a knowledge of Finnish, Meänkieli or Sami where this is necessary for dealings with the agency. This is a new provision.

41. The right to use Finnish, Meänkieli or Sami has not been extended to courts as well, as this is not considered to represent a priority at the present time. However, this right still continues to apply in the original administrative area, i.e. in seven municipalities in Norrbotten. One recent development is the entitlement for a party, or representative of a party who does not have legal counsel, to receive upon request a written translation into any of these languages of the court's judgment or decision and the supporting reasons.

Improved follow-up of minority rights

42. A State monitoring system was also introduced in 2010 to monitor adherence to the Act on National Minorities and National Minority Languages (2009:724). The purpose of this monitoring is to improve the implementation of the Act by public authorities and municipalities with a view to ensuring national minority rights.

43. Furthermore, extensive measures to increase awareness are also being taken at municipalities and public authorities and among the national minorities and the rest of society, primarily via the authorities responsible for monitoring, namely the Sami Parliament and County Administrative Board in the County of Stockholm. This is being done owing to the need to enhance knowledge and awareness of the international obligations, the national minorities and the rights of minorities to ensure stricter compliance with the minority commitments.

Recommendation 16

44. As stated under Article 2, the Government has laid the groundwork for combatting discrimination in society more effectively through the Discrimination Act and by

establishing an Equality Ombudsman (DO). However, local actors (e.g. anti-discrimination offices) are also required to complement the role of the DO if anti-discrimination laws are to have any impact on society in general. These actors play a significant role in local society in terms of addressing and increasing the visibility of different forms of discrimination and raising awareness of, among other things, the applicable legislation and the work of the DO.

45. It is important that organisations working to combat discrimination (e.g. anti-discrimination offices) can continue their activities and also that opportunities are created for the continuity of activities. The grants for these organisations have therefore been put on a permanent footing. Furthermore, the Discrimination Act also entitles certain non-profit associations to bring court proceedings on behalf of private individuals. This possibility has been used by anti-discrimination offices in some cases.

46. A number of government authorities have been working on anti-discrimination strategies over the past few years with the object of combatting discrimination within both their internal and external operations. For example, the county administrative boards have drawn up action plans for equal rights and opportunities.

47. The Government instructed the National Agency for Education in June 2011 to undertake renewed efforts against discrimination and other degrading treatment in schools, pre-schools and leisure-time centres. Within the framework of this remit, the National Agency for Education is to compile and disseminate information about good practices within preventive work as well as work with procedures for reporting and following up matters relating to discrimination and other degrading treatment. The Agency has for the period 2011 to 2014 been allocated SEK 10 million annually for this mandate. A final report on the mandate will be delivered to the Government Offices by 20 January 2015.

48. The Ordinance on Anti-Discrimination Clauses in Procurement Contracts (2006:260) entered into force in July 2006. According to this Ordinance, the 30 largest government authorities must apply clauses in their procurement contracts to counteract discrimination by suppliers ("anti-discrimination clauses").

49. Anti-discrimination clauses should be worded in a way that enables the authority to verify compliance. They should also cover sub-contractors where appropriate. Authorities must attach a sanction to these clauses. The purpose of the Ordinance is to enhance awareness of and promote compliance with the anti-discrimination legislation.

50. The Swedish Competition Authority has evaluated the Ordinance, among other things with a view to investigating whether the purpose of the Ordinance has been achieved (Swedish Competition Authority Report Series 2009:2). In brief, the Swedish Competition Authority concluded that anti-discrimination clauses have largely been adopted by all of the public authorities and that the Ordinance has resulted in some increased awareness about anti-discrimination legislation.

51. The mandate of the Equality Ombudsman (DO) includes disseminating knowledge and information to organisations, within both the public and private sectors, and to individuals about the prohibition of discrimination and the work to promote equal rights and opportunities. The DO offers guidance to and helps to develop methods for employers, universities, university colleges and schools, among others. Within the framework of this the DO has produced, among other things:

- *Vägar till rättigheter* [Paths to rights] – A source of inspiration for local anti-discrimination work;
- *Roma Rights* – A report about discrimination, paths of redress and how the law can improve the situation of Roma;

- *Upplevelser av diskriminering* [Experiences of discrimination] – A report about perceived discrimination;
- *Rätten till sjukvård på lika villkor* [The right to medical care on equal terms] – This report is based on research within the field, the experiences of patients and interest groups and complaints received by the DO relating to discrimination within health and medical services. The DO has, in light of this, established partnerships with various national actors;
- *Forskningsöversikt om rekrytering i arbetslivet* [Research review on recruitment in working life] – This report describes, among other things, research relating to the prevalence of discrimination, processes that generate and replicate discrimination in conjunction with recruitment and success factors for achieving recruitment without discrimination;
- *Forskningsöversikt om trakasserier inom utbildning och arbetslivet* [Research review on harassment in education and working life] – This report describes, among other things, research relating to the prevalence of harassment, the consequences of harassment for those affected and ways of combatting harassment.

52. The DO considers that the reports and research inventories issued have helped to generate new knowledge. Knowledge lays the foundation for the development of methods and ways of working and represents a valuable information base when choosing orientation and strategies.

53. In 2012, 1,559 complaints were received by the DO, representing a reduction of 20 per cent compared with 2011 and 40 per cent compared with 2010. The grounds of discrimination for most of these complaints taken as a whole were "ethnicity" and "disability". The DO says that it is difficult to state with any certainty the reasons for the reduction in the number of complaints. Many complaints about ethnicity relate to recruitment. The DO has therefore commissioned the report, *Forskningsöversikt om rekrytering i arbetslivet* [Research review on recruitment in working life]. The purpose of this review is to produce a solid information base prior to making decisions about methods and initiatives for future recruitment work.

Roma

54. Systematic work relating to minorities is currently being conducted in Sweden within the framework of the Government's minority strategy. The minority policy includes issues related to the protection of and support for the national minorities and their long-established minority languages. The languages and cultures of the national minorities are part of our common Swedish cultural heritage. Strengthening the protection for the national minorities is one aspect of Sweden's work to safeguard human rights. The Government supports the work of national minorities to both promote equality and combat discrimination. The Government made a decision in July 2011 to task the National Board for Youth Affairs with the announcement and award of grants to national minority organisations for this kind of activity during the period 2011 to 2014.

55. The Government's strategy for Roma inclusion was presented to the Riksdag in February 2012 (Communication 2011/12:56). It is aimed at ensuring that Roma people are afforded the same opportunities and rights as others and that they are not exposed to discrimination in their everyday lives. The overall goal of this strategy is for a Roma who attains the age of 20 in 2032 to have the same opportunities in life as a non-Roma. The strategy is based on human rights, with particular emphasis on the principle of non-discrimination, gender equality and the rights of the child, and includes goals and measures within six areas of activity: education; employment; housing; health, social care and security; culture and language; and the organisation of civil society. Work on the strategy

started in the spring of 2012 through the Government, among other things, issuing various mandates to public authorities. These mandates are to be implemented in consultation with the DO in relevant respects.

56. The Government is cooperating with the Council of Europe to combat antizyganism and intends to conduct an international round table meeting on this issue during the spring of 2013.

57. Work has also begun within the Government Offices to draw up a White Paper on abuses, violations and other acts of discrimination against Roma people in the 20th century. The aim is to acknowledge the victims and their families and to build understanding of the Roma minority's situation today. The White Paper is planned to be completed in 2013.

58. The Equality Ombudsman (DO) has conducted work specially directed at discrimination against Roma. Among other things, the DO has reviewed complaints relating to Roma submitted during the period 2004 to 2010. It is indicated by the report, *Romers rättigheter* [Roma rights], from 2011 that it is not uncommon for discrimination to occur in everyday situations, such as when Roma women are shopping for food, travelling by bus or visiting restaurants, often when with their children. The DO has implemented two rights-based education initiatives based on this report. The authority has also disseminated findings from the report through seminars with Roma representatives and the public and government authorities affected.

Xenophobia

59. The Government considers that it is important to adopt an integrated approach to the work to combat xenophobia and similar forms of intolerance. The Government has implemented several measures to gather the knowledge and supporting information required for the Government's further pursuit of its position on the need for further measures within this area.

60. The Government has, among other things, appointed an Inquiry to investigate more effective work to combat xenophobia and similar forms of intolerance (Dir. 2011:02). A report on this mandate was submitted during the autumn of 2012. A report *Främlingsfienden inom oss* [The Xenophobe Within] (Swedish Government Official Reports – SOU 2012:74) is now being circulated for formal consultation after which it will be dealt with by the Government Offices.

61. The Living History Forum has been instructed to work on issues relating to tolerance, democracy and human rights using the Holocaust as its starting point. The Living History Forum has been commissioned by the Government to conduct a survey of anti-Semitism and Islamophobia. The report *Antisemitism och Islamofobi* [Anti-Semitism and Islamophobia] shows, among other things, that the Internet and social media are the major sources for spreading anti-Semitism and Islamophobia.

62. A new website has been launched at regeringen.se where the most common internet myths about immigrants and minorities are refuted with facts.

63. Funds are to be distributed under the Ordinance on State Grants for Activities against Racism and Similar Forms of Intolerance (2008:62) for activities to combat racism, Afrophobia, Islamophobia, antizyganism, anti-Semitism, homophobia or combinations of these. State funding is also being granted to Exit Fryshuset for initiatives to combat racism and similar forms of intolerance relating to those wanting to leave nationalistic/racist/Nazi-oriented groups and movements. The Government has also appropriated specific funds to increase the security and reduce the vulnerability of the Jewish minority.

64. Various measures may be used to reinforce and extend knowledge and awareness of xenophobia and similar forms of intolerance. Schools constitute a key institution in the

long-term promotion of tolerance and openness. A three-year initiative to raise awareness of xenophobia and similar forms of intolerance among children and young people is therefore being implemented during the period 2012 to 2014.

Hate crime statistics (ethnicity)

65. Hate crime statistics are produced annually by the Swedish National Council for Crime Prevention (Brå) on the mandate of the Swedish Government. One section comprises police reports where Brå has been able to identify a motive for the hate crime following a separate examination. The other section of the statistics comprises self-reported victimisation based on the Swedish Crime Survey (SCS). SCS is an annual questionnaire survey where in excess of 13,000 people answer questions about their exposure to crime.

66. The statistics describe crime reports registered, crime reports cleared up and people subjected to hate crime. Hate crime is classified in four groups in the statistics, one of which comprises offences with a xenophobic/racist motive.

67. In 2011, 3,936 hate crimes motivated by xenophobia/racism were identified. The report statistics only include those offences that have been brought to the attention of the legal system, and the motive for the offence is not always given in the police report. For this reason the statistics do not reflect the true extent of hate criminality.

68. Two hundred and sixty-two of the principal offences included in the police reports from 2011 where xenophobic/racist motives were identified had been personally cleared up. A crime that has been "personally cleared up" means that a prosecution has been instituted, a summary penalty order issued or a waiver of prosecution notified. Most of the reports in question related to a decision to prosecute.

69. According to information from the SCS 2011, which measured exposure in 2010, 1.1 per cent of the people consulted (age group 16 to 79) stated that they had been subjected to hate crime with xenophobic motives during 2010. This represents approximately 81,000 people out of the entire population. However, the results are uncertain, and may therefore under or overestimate the true scope.

Recommendation 17

People with disabilities

70. Sweden ratified the United Nations Convention on the Rights of Persons with Disabilities and the Optional Protocol in December 2008. This Convention now serves as guidance for the strategy governing the work to create a society without obstacles to participation and where there are equal living conditions for people with disabilities.

71. The work to promote participation and equality for people with disabilities was governed by the action plan *Från patient till medborgare* [From Patient to Citizen] (Government Bill 1999/2000:79) during the period 2000 to 2010. Upon an evaluation of the plan it was possible to conclude that progress had been made in many areas and that access for people with disabilities had improved in most sectors of society.

72. The Government found at the same time that more measures were needed and that the work conducted had to be more effective. Set against this background, the Government announced a cross-sectoral strategy to be implemented between 2011 and 2016 introducing initiatives within priority areas of society that are capable of being followed up. The areas to be prioritised are labour market policy, social policy, education policy, transport policy, IT policy, increased physical access, the judicial system, public health policy, culture, media and sports.

73. One important and fundamental issue for Sweden's disability policy is to strengthen the opportunities for people with disabilities to participate in the labour market on equal terms. Participation in working life is an issue closely linked to the prospect of participating in other parts of society. Since the launch of the action plan *Från patient till medborgare* [From Patient to Citizen], all government authorities have consequently been ordered to improve their accessibility in terms of premises, communications and their internal operation. These developments have been continuously monitored and there has been a clear improvement to and increased awareness of the importance of making these operations accessible to everyone regardless of disability, although the Government is of the opinion that progress has been too slow.

74. In 2009, the Government conducted an analysis of the advances made within the framework of efforts relating to the action plan and considered that improvements had been made; for example, that accessibility for people with disabilities had improved within most sectors of society. Particular reference was made to initiatives in partnership with different actors such as government and public authorities. One example is the cooperation implemented in relation to improvements to physical accessibility in public places. This work was successful as it was implemented within the framework of structured planning and strategy work.

75. Experiences from the first ten years of the action plan resulted in the Government adopting a strategy in 2011 to further accelerate the implementation of disability policy in Sweden. Experiences from work on the action plan showed that it was difficult to monitor actual developments owing to a lack of objectives that were capable of being followed up and statistics.

76. For this reason, the Government increased from 12 to 22 the number of public authorities with special responsibility for pursuing and enforcing disability policy within their area of operation. The authorities have structured objectives to be implemented, measured and followed up during the five-year implementation period of the strategy. The Government attaches great importance in the strategy on the results of the implementation of disability policy having an impact on the living conditions of people with disabilities.

77. Swedish Level-of-Living surveys are being improved so that they are better able to report on the situation of people with disabilities compared with the rest of the population. National reports were published in 2012 and 2013, which reported on initiatives implemented by public authorities, county councils and municipal authorities and their impact on individuals with disabilities. Examples of areas that have a direct impact on the opportunity to participate in working life where improvements could be observed are that more physical obstacles within the outdoor environment have been eliminated, that more students with disabilities are enrolled at universities and university colleges, and that the funding for personal assistance is increasing.

Recommendation 30

78. The Swedish Government is conducting an ongoing dialogue with Swedish business through the Ministry for Foreign Affairs regarding the importance of corporate social responsibility (CSR) work based on internationally recognised guidelines. Sweden's CSR Ambassador attends seminars and workshops organised, for example, in conjunction with our Swedish foreign missions in markets outside Sweden.

79. The Swedish Government expects all Swedish companies to respect human rights (including the ILO Core Conventions on rights in working life) in all of their activities.

80. The Government encourages business to support and comply with the following international frameworks and standards within their corporate social responsibility work: OECD Guidelines for multinational enterprises; United Nations Guiding Principles on

Business and Human Rights; and United Nations Global Compact. At the same time Sweden is clear that the commitment to these important issues is and shall be business-owned and business-driven. In practice, this means that companies make their own choices about how to implement social responsibility issues and carry out work in this area.

81. Work is underway nationally to implement the United Nations Guiding Principles on Business and Human Rights adopted by the Human Rights Council in 2011 (these include the fundamental human rights set out by the ESC Covenant). In March 2013, the Ministry for Foreign Affairs invited interested parties to discuss development issues, including the issue of business and human rights.

82. In 2012, the Government spelled out even more clearly in its ownership policy for state-owned undertakings that these undertakings should comply with international guidelines for corporate social responsibility, including the United Nations Guiding Principles for Business and Human Rights.

83. In line with the Government's ILO strategy, the Government is working to get more Member States to ratify and adhere to the ILO conventions, particularly the ILO Core Conventions concerning human rights in working life.

84. The Government still supports new proposals for international ILO instruments adopted within the framework of ILO's annual international labour conferences such as, for example, the Recommendation concerning HIV and AIDS and the World of Work in 2010, the Domestic Workers Convention in 2011 and the Social Protection Floors Recommendation in 2012.

85. The Government supports development programmes within the framework of Sweden's partnership with the ILO with a view to promoting ILO core activities, for example, by contributing to the establishment of independent employer and employee organisations and supporting projects that promote youth employment and strengthen the position of women in the labour market.

Article 3 – Equal rights for men and women

Gender equality policy

86. The situations for women and men are described in the relevant articles of this report. A summarised report is provided below of the Government's initiatives to promote equality between women and men. A more detailed account will be provided in the Government's report to the Convention on the Elimination of all Forms of Discrimination against Women, which will be referred to the CEDAW Committee in 2014.

87. As previously mentioned, the Discrimination Act entered into force on 1 January 2009. The purpose of the Act, which replaced the Equal Opportunities Act, is to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. The Act includes provisions stating that employers and employees are to cooperate on active measures to bring about equal rights and opportunities in working life, for instance to equalise and prevent differences in pay and other terms of employment between women and men who perform work which is to be regarded as equal or of equal value.

88. Every three years employers are to survey and analyse provisions and practices regarding pay and other terms of employment as well as pay differences between women and men. Every three years employers with at least 25 employees are to draw up an action plan for equal pay. In June 2012, the Government decided on an Inquiry to review and

propose the most suitable way of working with active measures. A report relating to the mandate is to be delivered by February 2014.

89. The overall objective of gender equality policy is to ensure that women and men have the same power to shape society and their own lives. This was adopted by the Riksdag in 2006. The Government's policy is guided by the following sub-goals:

- Equal distribution of power and influence;
- Economic equality between the sexes;
- Equal distribution of unpaid care and household work;
- Men's violence against women must stop.

90. Gender mainstreaming has been the main strategy for the Government's gender equality policy since the early 1990s. This means that a gender-equality perspective shall permeate decisions in all policy areas and that those actors who normally participate in the decision-making process are responsible for making this happen. In respect of the Government, this means that each Minister is responsible for gender equality within each of their policy areas. The Minister for Gender Equality is responsible for pursuing, developing and coordinating the Government's gender equality policy. In addition to gender mainstreaming, the Government is also taking special measures and temporary initiatives where necessary to stimulate, improve and accelerate progress.

91. A special gender-equality initiative was implemented during the period 2007 to 2010 by allocating gender equality policy funds amounting to SEK 1.6 billion. This represents a tenfold increase in resources for this area. The purpose is to stimulate development and reinforce gender equality within all areas of society.

92. The highest priority during this period was afforded to initiatives to prevent and combat men's violence against women. SEK 638 million in total was distributed for various measures to achieve the objective that men's violence against women must stop. These initiatives were taken within the framework of three action plans in the area. The "Action Plan to combat men's violence against women, violence and oppression in the name of honour and violence in same-sex relations" specified a wide range of 56 different measures involving a number of public authorities and voluntary organisations. These initiatives aim to improve protection for women exposed to violence, strengthen preventive work and improve cooperation between the various actors. The "Action plan against prostitution and human trafficking for sexual purposes" includes 36 measures to achieve greater protection and support for those vulnerable, reinforce preventive work, enhance standards and efficiency in the judicial system, increase national and international cooperation and also improve knowledge. A third communication comprises an "Action plan to prevent young people from being forced into marriage", which also covers issues relating to violence and oppression in the name of honour, including measures to reinforce preventive work, provide more support and protection and improve cooperation between public authorities.

93. Another area for initiatives concerned gender mainstreaming at municipalities and county councils. SEK 158 million in total was distributed to strengthen the work to guarantee that activities within the public sector correspond to the conditions and needs of both genders and also to ensure high quality and good progress is achieved for women and men, girls and boys. More specifically, the programme aims to continue developing managerial systems and tools to develop activities and quality in a way that takes account of the gender-equality perspective.

94. Two delegations were mandated to strengthen gender equality in schools, universities and university colleges during the period 2008 to 2010. The Delegation for Gender Equality in Schools was mandated to promote and develop knowledge about gender

equality in schools during the period 2008 to 2010 by analysing gender differences in educational attainment and surveying areas where new knowledge about gender and equality had emerged. The Delegation for Gender Equality in Higher Education (2009–2010) was instructed to support initiatives and propose measures to promote gender equality at universities and university colleges, for example by addressing and combating gender-based educational choices. The Delegation also distributed a total of SEK 47 million for gender-equality initiatives.

95. In the Communication, *En jämställd arbetsmarknad – regeringens strategi för jäm-ställdhet på arbetsmarknaden och i näringslivet* [A Gender-Equal Labour Market – the Government's Strategy for Gender Equality in the Labour Market and Business Sector] (2008), the Government reported on its assessment of the most important challenges for gender equality in the labour market and business sector as well as the orientation of the policy to meet these challenges. The strategy includes 68 measures to combat gender divisions in the labour market, to promote equal conditions for entrepreneurship and to achieve equal participation in working life and equal working conditions. On the whole it has been possible to realise these orientations within the framework of general initiatives conducted within the policy areas concerned.

96. Other initiatives have related to, among other things, research and competence development (in total SEK 138 million), support for gender-equality projects within non-profit organisations (SEK 26 million) and support for various measures to achieve the objective of an equal distribution of unpaid work (SEK 18 million).

97. The Government concluded in its reporting of the special gender-equality initiatives to the Riksdag in September 2012 that the significant increase in resources has made it possible to develop equality work within a number of core areas to develop the policy further and achieve the objectives of the gender equality policy. The breadth of the initiative necessitated both the improvement of working arrangements and methods and an enhancement of knowledge within this area.

98. The Riksdag has appropriated almost SEK 1 billion to ensure the viability of the special gender-equality initiative for 2007 to 2010 (as reported above) and to support the implementation of gender equality policy during the Government's current term of office (2010 to 2014). The following includes a report of some of the initiatives carried out during the period.

99. The highest priority continues to be afforded to initiatives to combat men's violence against women, including prostitution and human trafficking for sexual purposes. Initiatives are being implemented within the framework of six focus areas:

- National mobilisation and coordination;
- Measures against sexual violence;
- Improved preventive work and protection and support for women subjected to violence and children who witness violence;
- Preventing and combating violence and oppression in the name of honour, including marriage against the will of one of the parties;
- Preventive measures targeting men; and
- Measures against prostitution and human trafficking for sexual purposes.

100. The Government appointed a National Coordinator in April 2012 who was instructed to concentrate the efforts to combat violence in close relationships (domestic violence). This mandate includes bringing together and supporting actors to increase the effectiveness, quality and sustainability of the work to combat violence in close

relationships. In particular, the Coordinator will consider how to develop and implement preventive initiatives against violence. This mandate also includes considering ways of improving protection and support for victims of crime and in this context reviewing in particular how to reinforce the work carried out at women's shelters and the other non-profit organisations involved. A final report on the mandate is to be delivered by 30 June 2014.

101. The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence ("the Istanbul Convention") was adopted on 7 April 2011. Sweden signed the Convention on 11 May 2011. An Inquiry Chair has been instructed to analyse the Convention and consider the measures required to enable Sweden to accede to the Convention and also to submit proposals for such measures. Sweden is considered to comply with most of the provisions of the Istanbul Convention. However, it is considered that Sweden's accession to the Convention would require certain statutory amendments. Proposals made by the Inquiry Chair are currently being dealt with by the Government Offices.

102. Article 10 involves an evaluation of and changes to crimes related to the violation of integrity, sexual crime legislation, penal provisions for human trafficking and the prohibition of the purchase of sexual services.

103. Development work to strengthen gender mainstreaming will be conducted during the period 2011 to 2015 under the collective term. *Plattform för jämställdhetsintegrering 2011–2015* [Platform for Gender Mainstreaming, 2011–2015]. This platform includes five sub-projects and will achieve an overall and strategic understanding of the development needs identified from gender mainstreaming work. The five sub-projects include initiatives at the national, regional and local levels:

1. Strategy for gender mainstreaming in the Government Offices.
2. A development programme for government authorities.
3. Support for gender mainstreaming at the regional level.
4. Gender mainstreaming at the local level.
5. Initiatives to gather and share experience and knowledge.

104. Sweden is among those countries that have the smallest disparities between the measurable indicators for equality in working life. The following table shows a selection of such indicators.

Employment rate (proportion of the population employed) during the first quarter of 2013; Source: Statistics Sweden, Labour Force Survey	*Women*	*Men*
Age 35–44 (%)	85.2	90.6
Age 55–64 (%)	69.6	76.0
Total, age 15–74 (%)	62.1	67.0
People born abroad (%)	52.9	60.6
Actual average working hours worked for permanent employees, hour/week	29.3	34.3
Average pay for all sectors in 2011	26.800	31.200

Source: National Mediation Office (SEK per month).

105. After considering this situation, the Government appointed a Delegation for Gender Equality in Working Life in 2011. This Delegation, which includes senior representatives of the social partners and researchers, has been instructed: to compile and disseminate

knowledge about the different conditions and opportunities for women and men as well as the various reasons for the differences that exist; stimulate debate about how to promote gender equality in working life; and also propose ways to promote gender equality in working life. The Delegation is to deliver its report on the mandate in the autumn of 2014.

106. The Government decided to launch an inquiry in September 2011 to survey and analyse issues relating to men and gender equality. This Inquiry has been instructed to, among other things, describe and analyse the living situation for men in relation to women and the ways in which this situation has changed, together with the position adopted by men in relation to gender equality and how a lack of equality may affect the living situation for men. The Inquiry is also to report on activities, the work of which involves men and gender equality, together with relevant research into the living situation for men, their attitudes and accountability, e.g. as regards parenthood.

107. The Swedish labour market is characterised by women and men largely working in different sectors and different occupations. More men are found in senior positions or managerial posts than women. Thirty-five per cent of all managers were women in 2010, representing an increase of 6 percentage units since 2006. Gender distribution among managers differs from sector to sector. Only central government has a gender distribution lying within the gender-equality interval, i.e. 60–40. The highest proportion of female managers can be found at county councils, and this is where there has also been the most significant increase since 2006. The lowest proportion of female managers is within the private sector. This gender imbalance is particularly apparent for the most senior managerial positions. Only 14 of the 230 largest listed companies had a woman as their chief executive officer in 2013. Forty-eight per cent of members of the boards of wholly and partly state-owned undertakings were women and 52 per cent were men in 2012. The proportion of women on the boards of listed companies has increased from 5 per cent in 2000 to just over 20 per cent in 2012.

108. The Government, which does not intend to propose legislation on quotas for company board members, has been implementing the national *Styrelsekraft* [Force of Management] programme since 2009. This is targeted at women to increase the proportion of women in managerial positions and on boards, both in state-owned companies and government authorities and in private companies. Two hundred women in senior positions in industry and the public sector throughout Sweden were awarded scholarships for board training as part of the first round of *Styrelsekraft* (2009 to 2010) and were also allocated a mentor with extensive board experience. Approximately half of these women had received an offer of a directorship by October 2010.

109. The work of *Styrelsekraft* was limited to board work and the number of participants restricted to 100 during the period 2011 to 2012. The primary target group was women who owned a company and wanted their companies to grow. Mentors were required to have broad experience of working as directors.

110. An evaluation of the 2011 programme shows that participants were generally satisfied with the programme. Participants considered that both mentorship and board training were important for achieving change. A third of participants considered that the work of the board had changed, primarily owing to the inclusion of external members. However, the total number of directorships for women who participated was only marginally higher following the programme than before.

111. The Government is maintaining a continuous dialogue with representatives of trade and industry to stimulate developments and increase the proportion of women in managerial positions. Statistics Sweden (SCB) has been mandated by the Government to survey around 1,000 businesses in 2013 to gain more knowledge about the underlying factors, attitudes and values that may govern trends within companies. Findings from this

survey will provide a valuable information base for the continued consideration of political initiatives to stimulate businesses to voluntarily increase the proportion of women in management positions and on company boards. The Government is participating constructively in negotiations concerning the European Union Directive to improve gender equality on the boards of listed companies, and as part of these negotiations supports solutions that involve voluntary commitments on the part of companies.

III. Implementation of the specific rights covered by the Convention

Article 6 – Right to work

The Government's point of departure

112. A precondition for exercising economic, social and cultural rights is that a large proportion of the population is employed and also that those who can and want to have a job are able to get one. The main differences in the opportunities to exercise economic, social and cultural rights are found between those with a job and those without one. This requires an effective employment policy adapted to the economic cycle.

113. The framework for employment policy formulation is presented annually to the Riksdag in the Spring Fiscal Policy Bill. A substantial of this report comprises a summary of the reporting to the Riksdag.

114. The most important task of employment policy since the Government took office in 2006 has been to permanently increase employment, primarily by reducing exclusion. The employment rate must be compatible with low and stable inflation and the economic balance in general; i.e. permanent employment should be increased. In simple terms, there are two ways in which employment policy can contribute to economic, social and cultural rights: A generous welfare system with joint funding requires a large proportion of the population to work, as gainful employment forms the most important tax base in the economy. More people in work mean that resources are released for the public sector owing to a reduction in expenditure for, among other things, unemployment benefit and financial assistance.

115. This in its turn generates scope to improve the quality of, for example, schools, the elder care system, care services, cultural institutions and anything else that generally creates opportunities for citizens to exercise their economic, social and cultural rights. Demographic trends, including an increase in the proportion of elderly people, entail a greater burden on society's potential to deliver systems that represent essential rights.

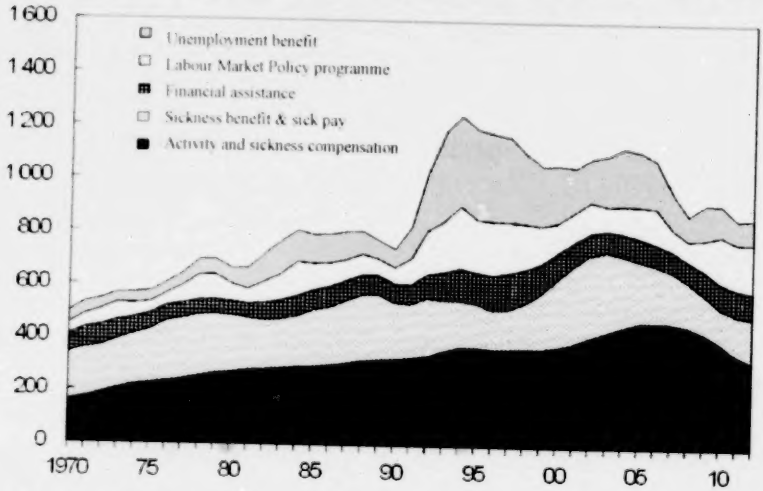
116. The Government, within the European Union 2020 strategy, is striving for an employment rate (the proportion of the population employed within the age group 20 to 64) that is well above 80 per cent — 5 percentage units higher than the average target stipulated for the European Union — in order to emphasise the central role of employment in Government policies.

Labour market trends

117. The major problem in the labour market following the change of Government in 2006 was that there were far too few people in work and an unequal distribution of opportunities to work between the various groups. One indicator of this was the rising trend since the 1970s in respect of the number of people receiving benefits after becoming unemployed or falling sick and the increase in financial assistance measured as full-time equivalents.

Figure 1

Number of people (in thousands) receiving benefits from a particular security system



Note: Number of people measured as full-time equivalents.

Sources: Statistics Sweden, Swedish Social Insurance Agency and own calculations.

118. Comprehensive reforms have been implemented within labour market policy over the past seven years to break this trend. Unemployment insurance is an integral component of labour market policy. Comprehensive reforms have also been implemented for unemployment insurance.

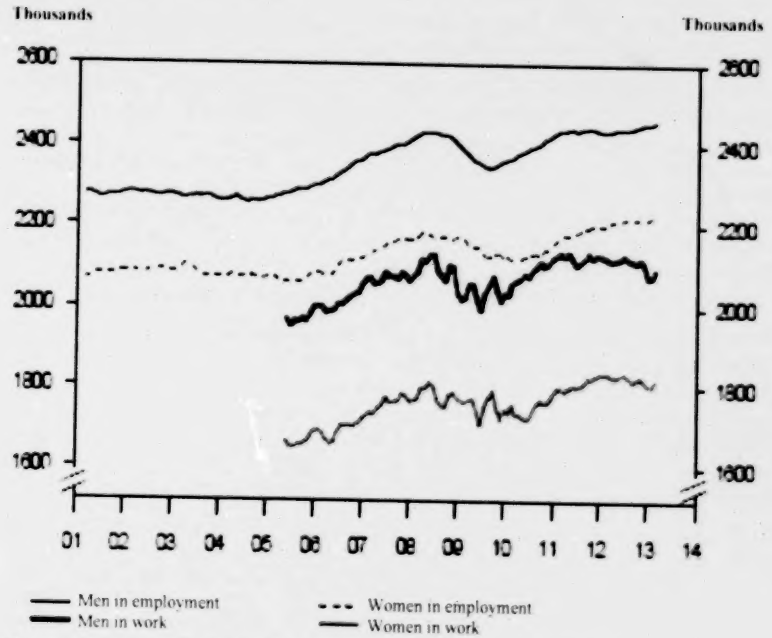
119. Labour market policy initiatives have been concentrated into two "guarantee programmes" targeted at those who have been out of work for some time. The right to benefits and the imposition of requirements for active job seeking and participation in training, work experience programmes and other activities constitute the foundation of the guarantee programmes.

120. There have also been changes within the health insurance systems, the most important being opportunities for more active and quicker rehabilitation while upper limits have been introduced for how long a benefit can be received.

121. In the opinion of the Government, insurance system reforms have contributed to a stable and positive development in Sweden in terms of trends in the number of people employed since 2006. This positive trend has continued despite Sweden, like the rest of Europe, having experienced two recessions, the financial and debt crises in 2008 and 2011 respectively. Despite this, the number of people employed has increased by 215,000 since 2006: 100,000 women and 115,000 men (seasonally adjusted values, December 2006 to December 2012).

Figure 2

Number of women and men employed, and number of women and men in work, in March 2013 (age group 15–74)



Note: Seasonally adjusted and published values. Three-month moving average.

Source: Statistics Sweden (AKU).

122. There was a greater variation in the employment rate (the number of people in employment in relation to the population) during the period 2006 to 2012. Levels have ranged from 64 to 67 per cent in recent years. Trends for women were more stable than those for men. The total employment rate has reduced by 0.9 percentage units since 2006: 0.5 per percentage units for women and 1.3 percentage units for men. This is due to a large number of baby boomers joining the labour force at a time when the business cycle has been too weak to absorb these extra numbers. In line with this, Sweden also has high youth unemployment compared with other European Union countries. The disparity in respect of women and men is explained by there being a gender-segregated labour market. Export-dependent industries with a predominance of males react more rapidly to cyclical fluctuations than the public sector where women are in the majority.

123. Another indicator of the same circumstances is that development trends for unemployment have not been as positive as the trends for the number of people in employment. There have been significant variations linked to the business cycle. Total unemployment measured as a proportion of the labour force was 8.5 per cent in February: 8.1 per cent for women and 8.8 per for men.

Measures within health insurance

124. The most important explanation for the reduction in the number of people receiving benefits from the security system is that fewer people require sickness benefit/sick pay and sickness and activity compensation (see Figure 1). This reduction in sickness absence has

resulted in an increase in the number of people working. Swedish sickness absence is currently down to what may be regarded as a low level. Sweden no longer distinguishes itself in relation to other countries with corresponding systems and benefits. However, there has been a slight increase in the number of cases of sickness since 2010, which is among other things due to people who had previously reached the maximum period in health insurance being reaccepted under health insurance.

125. There are many possible explanations for the reduction in sickness absence. Evidence suggests that one important explanation is the change in attitudes and standards achieved by the various reforms. Independent reviews suggest that it is highly likely that these reforms have represented an important factor for the reduction in sickness absence. It is also clear that the reduction in the number of people receiving sickness compensation has coincided with the implementation of the Government's reforms. Changes to the conditions for entitlement to permanent sickness compensation together with the removal of the option for temporary sickness compensation entered into force on 1 July 2008. Figure 1 shows that the number of people receiving sickness compensation started to reduce thereafter.

126. The number of people receiving benefits from the various security systems has thus reduced compared with 2008, despite the number of people on unemployment benefit and number of participants in labour market policy programmes during the financial and debt crises having increased as a consequence of the prolonged economic recession. This indicates that the reduction in the number of people receiving sickness and activity compensation has not resulted in a fully corresponding increase in respect of another benefit system, and that they instead obtained an income in some other way.

127. One persistent problem is the continued increase in the number of people receiving activity compensation. A growing number of young people are being paid activity compensation owing to extended schooling, whereas fewer are being paid activity compensation owing to an impaired capacity to work.

128. There is also a significant gender gap within the sickness figures. For example, 122,000 men are on full-time sickness and activity compensation. The corresponding figure for women is 157,000.

Measures within labour market policy

129. Labour market policy programmes are intended to enhance the skills and knowledge of jobseekers in various ways to strengthen their position in the labour market and enhance their ability to get a job. These programmes are also meant to help ensure that jobseekers have the skills that are in demand and thus prevent a labour shortage that triggers inflation and inhibits economic growth. Some of the programmes are also intended to encourage employers to employ certain groups of unemployed people.

130. In February 2013, 8.5 per cent of the labour force (or approximately 450,000 people) were unemployed. 180,000 of these people were participating in labour market policy programmes and 50,000 had subsidised employment. There are special programmes for people who have disabilities entailing an impaired capacity to work; these programmes are dealt with in more detail below. Most participated in the two "guarantee programmes": *Jobb-och utvecklingsgarantin* [Job and Development Programme] and *Jobbgarantin för unga* [Youth Job Programme].

131. The Job and Development Programme was introduced on 2 July 2007 and aims to get participants out into the labour market as soon as possible. Programmes comprise individually designed measures and have a structure that underpins the primacy of work principle. The Job and Development Programme is divided into three phases: the initial focus is on intensified jobseeker activities, including coaching; during the second phase, there is access to a range of labour market policy programmes, including occupational

rehabilitation, work experience, subsidised employment and skills enhancement programmes; and the third phase means that all participants, who have not found work after 300 (450 for some) benefit days on the Job and Development Programme, are directed to a permanent occupation that produces social benefits corresponding to the participant's entire capacity to work. Participants who have been receiving unemployment benefit receive a benefit corresponding to 65 per cent of their former pay. Others receive SEK 223 per day for a maximum of 450 days. There were approximately 100,000 participants on the Job and Development Programme in February 2013, of whom 30,000 were in phase 3.

132. The Youth Job Programme was introduced on 1 December 2007. Young people between the ages of 16 and 24 are offered the chance to participate in the Job Programme after they have been registered with the Swedish Public Employment for a period of three months. The characteristic feature of the Youth Job Programme is that it centres on the individual, with a clear focus on matching jobseekers to vacant jobs. A benefit corresponding to the payments received by students is paid to participants who do not qualify for unemployment benefit. Benefits in the Job Programme are designed so that they do not deter young people from choosing regular studies over unemployment. There were approximately 45,000 participants on the Youth Job Programme in February 2013.

133. Besides these two programmes, the biggest initiative in terms of volume that has been introduced since the last report is "New Start Jobs" [*Nystartsjobben*]. New Start Jobs was introduced on 1 January 2007. The purpose of New Start Jobs is to get more people into work by encouraging employers to employ people who have been out of work for at least a year or who are newly arrived immigrants. Employers are compensated at an amount corresponding to double the employer's contributions. The level of subsidy thereby corresponds to approximately 50 per cent of the employer's labour cost. Subsidies are provided for a period equivalent in length to the period the person has been out of work. Young people must have been unemployed for six months to fulfil the conditions for a New Start Job. 40,000 people had a New Start Job in February 2013.

The gender-segregated labour market

134. The objective of gender equality policy is to ensure that women and men have the same power to shape society and their own lives. The four objectives of gender equality policy are stated under Article 3. One of the sub-objectives is: Economic equality. Women and men shall have the same opportunities and conditions with regard to education and paid work that provide them with the means to achieve lifelong economic independence.

135. More specifically, this means that women and men shall have the same opportunities and conditions with regard to education and paid work that provide them with the means to achieve life-long economic independence. The economic interim objective includes the same opportunities and preconditions for women and men in terms of access to work and the same opportunities and conditions in terms of employment, pay and other working conditions and also development opportunities at work, among other things from a lifecycle perspective; the paid work should also provide economic security and independence during retirement. The interim objective also covers education where, among other things, gender-based study choices have an impact on higher education and occupational choices.

136. Sweden has a labour market where the preconditions for the participation of both women and men are relatively good by international standards. This applies regardless of family situation, level of education and economic situation.

137. Sweden also has a large proportion of women in the labour force by international standards. However, there are still significant inadequacies in gender equality as regards the opportunities for women and men to enter the labour market and the business world, to remain in it and develop during working life and similarly to be able to combine work and

family life. The wages paid to women are lower than those paid to men, and this pay disparity is basically just as wide as it was twenty years ago. Women have a lower employment rate than men.

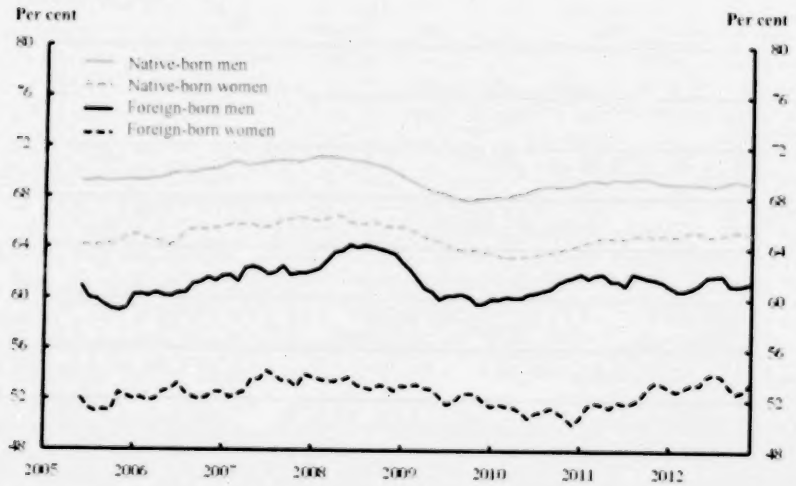
138. Significantly more women work part-time than men, both voluntarily and involuntarily. A third of women employed work part-time although the proportion of full-time workers has increased over the past ten years. Almost 90 per cent of men work full-time. Absenteeism is higher for women than for men. Defined-contribution pension systems mean that these differences between women and men also have an impact after their working lives are over.

Integration in the labour market

139. As shown, the employment rate has increased for both foreign-born and native-born Swedes. The improvement has in relative terms been greater for those born abroad. Disparities in employment are nevertheless unacceptably large and more needs to be done to narrow this gap. The employment rate (number employed in relation to the population) varies from 69 per cent for native-born men to 53 per cent for foreign-born women. Figure 3 below indicates a clear covariance between the groups over business cycles. The most positive trend is for foreign-born women, which indicates a slight increase.

Figure 3

Employment rates for foreign-born women and men in the age group 15 to 74 between 2005 and 2012



Source: Labour Force Survey, month, own seasonal adjustments

140. Differences in workforce participation between foreign-born and native-born Swedes are not solely due to factors related to the immigrants themselves. There is still a difference after examining variables such as education, experience, gender, marital status and place of residence.

141. A labour market policy initiative called the Entry Recruitment Incentive [*Instegsjobb*], which was introduced on 1 July 2007, comprises targeted employment support to help newly arrived immigrants to enter the labour market more quickly. The Entry Recruitment Incentive provides an opportunity to combine language studies with

work. Employers receive compensation for 80 per cent of the wage cost (although no more than SEK 800 per working day) and are also entitled to apply for financial support for providing guidance for three months. A placement on the Entry Recruitment Incentive is made for six months at a time and may amount to no more than 24 months. In December 2012, 2,100 people had placements through the Entry Recruitment Incentive.

142. A new reform entered into force on 1 December 2010 to speed up the establishment in working and social life of newly arrived immigrants, other people in need of protection and their relatives. Each new arrival will be given professional support to – as quickly as possible – learn Swedish, find a job and support him or herself as well as learn about the rights and obligations that apply in Sweden; this support will be based on their individual abilities.

143. Entry into the labour force will accelerate for individuals if improvements are made to the incentives for them to find a job and participate in initiatives to prepare them for work. A clearer and more distinct division of responsibilities between the different actors will create an efficient introduction chain, making better use of the competence of the new arrival.

144. The reform involves, among other things, allocating coordination responsibilities for introduction activities to the Swedish Public Employment Service instead of the municipalities. The Swedish Public Employment Service will draw up an introduction plan with the new arrival, which will include initiatives to facilitate and accelerate their introduction to working and social life. A new State benefit that is the same for all new arrivals regardless of where in the country they live has been introduced and is paid when they actively participate in introduction initiatives. A new actor – an introduction guide – has been introduced to support the new arrival during their introduction period. New arrivals, who have an introduction plan, are required to take part in employment preparation activities, Swedish instruction and civic orientation.

145. This reform means that the coordination responsibility for introduction no longer lies with the municipalities although they will still have important tasks in terms of refugee reception and the introduction of new arrivals; for example, Swedish for Immigrants (sfi) and other adult education, housing provision and initiatives for children and young people. The municipalities are also responsible for offering civic orientation to new arrivals. Municipalities receive compensation from the State for these initiatives. The reform has also meant changes to or new areas of responsibility for county administrative boards, the Swedish Social Insurance Agency and the Swedish Migration Board

146. Approximately 20,000 people in total had participated in the introduction reform at the end of March 2013. The Swedish Public Employment Service's commitments in respect of the introduction reform will extend for a period of two years. There is still a small outflow in terms of numbers as the reform was only introduced in December 2010 and it is still too early to draw any conclusions about the results of the reform. Stockholm University has been commissioned to evaluate the effects of the reform and will report on its findings in 2015 and 2016.

Priority groups: people with disabilities – situation and new initiatives

People with disabilities

147. A survey into the labour market situation for people with disabilities that entail an impaired capacity to work is conducted at two- or three-year intervals and supplements the Labour Force Survey (AKU) conducted by Statistics Sweden (SCB). The findings are published in thematic studies and are not included in AKU's basic tables. The last findings were published in 2008 in a special statistical communication from SCB.

148. Sixty-six per cent of people with disabilities formed part of the labour force in 2008, compared with 79 per cent for the population overall and 81 per cent for those who did not state that they had a disability. Fifty-five per cent of people with disabilities that entail an impaired capacity to work formed part of the labour force. Changes since the survey in 2006 lay within the statistical margin of error. However, there has been a tendency since 2006 for the gap to widen between labour market participation for people with and people without a disability.

149. The proportion of people with disabilities who are employed is 62 per cent, compared with 75 per cent for the total population and 77 per cent for those without a disability. Fifty per cent of people with disabilities that entail an impaired capacity to work are in employment. Since 2000 there have been an equal or greater proportion of people with a disability that does not affect their capacity to work among those in the labour force and those in employment compared with non-disabled people. This suggests that a disability per se is not something that affects participation in the labour force or the employment rate. What is significant is whether or not the disability entails an impaired capacity to work.

150. Unemployment among people with disabilities amounted to 6.5 per cent for the fourth quarter of 2008 compared with 4.9 per cent for the total population. The unemployment rate was 9.1 per cent for people who have disabilities that entail an impaired capacity to work. Unemployment trends have been on the rise since 2006, although there have not been any significant differences from year to year.

151. The number of places on Special Introduction and Follow-up Support (*Särskilt introduktions – och uppföljningsstöd* – SIUS) increased in 2013. SIUS means that employers and individuals receive support from a person with special skills during both the matching phase and the employment process. Furthermore, it is possible to combine SIUS and a personal assistant with several of the special measures for people who have disabilities that entail an impaired capacity to work.

152. People who have disabilities that entail an impaired capacity to work should be able to get work experience at central government authorities from and including 2013. The Government has instructed the Swedish Public Employment Service to gradually implement the work-experience programme, based on the availability of suitable applicants and places. The Government has appointed several inquiries to ensure the further development of policies for people who have disabilities that entail an impaired capacity to work.

Young people

153. Unemployed young people generally have good opportunities to find employment compared with other age groups, which means that most young people experience relatively short periods of unemployment. However, unemployment among the age group 15 to 24 still represented 26 per cent of the labour force in February 2013.

154. The distinctive nature of the Swedish education system means that these figures appear more alarming than the actual underlying problem. A very large proportion of young people attend upper secondary school. Work experience is arranged more frequently through the agency of schools than under apprenticeship schemes. These two special factors had the effect that 52 per cent of unemployed young people in February 2013 were actually full-time students looking for work, often part-time work and work during holidays.

155. Most unemployed full-time students lead orderly lives and do not find themselves in any real situation of exclusion. However, there is a large group that experiences exclusion where significant measures are justified. This applies in particular to young people with incomplete grades from compulsory or upper secondary school and young people born

outside Europe. Research findings clearly show that if a link to the labour market is not established at an early stage, it then becomes very difficult to remedy this later in life.

156. A number of measures within education policy, labour market policy and tax policy have been taken in in recent years to improve links to the labour market for young people experiencing exclusion. Examples that may be mentioned include the reduction of employer's contributions for young people and making it easier for employers to employ people for a fixed term. The Government has also implemented reforms within the Swedish education system to improve the knowledge of pupils and thereby their future employability. The reformed upper secondary school and apprenticeship training represent examples of important reforms to prevent pupils from leaving upper secondary school and to make it easier to enter the labour market.

157. A number of temporary and permanent measures were implemented in the 2013 Budget Bill to improve the functioning of the labour market and respond to the weak economic trend. There has been an increase in the number of temporary places for vocational adult education, apprenticeships for adults, higher vocational schools, independent adult education colleges ("folk high schools") and certain courses within higher education in response to the economic slowdown. Furthermore, vocational training has been allocated funds to increase quality. Young people registered on the Youth Job Programme will also receive a higher level of student aid in 2013.

158. Measures are also being taken to increase the quality of the Youth Job Programme. Employers that employ young people who have been unemployed for at least twelve months will receive a subsidy corresponding to double their employer's contributions, and the minimum age for receiving relocation grants has been reduced from 25 to 20 years with a view to encouraging a larger target group of people to relocate for work. The Government also appointed an Inquiry Chair in 2012 who was instructed to present proposals for how to develop and reinforce the work involving young people between the ages of 16 and 25 who are not in education, employment or training (sometimes referred to as "NEETS").

Older people

159. Sweden has a high employment rate for older people from an international perspective. The employment rate for the age group 55 to 64 was 73 per cent in February 2013. Older people have registered the best employment success, with a 10 per cent increase in their employment rate over the past ten years. The reasons for this include active labour market policy and labour law legislation. Another explanation is the increase in the level of education for this age group, which is important as regards opportunities to remain in the labour market.

160. However, the problem is that re-entering the labour market is often difficult for older people who become unemployed. The age group 55 to 64 has been heavily overrepresented by people who are both long-term unemployed and leaving the labour force. It is important to encourage a late exit from the labour force, not least to secure long-term financing for the public sector. This justifies special initiatives for this group.

161. One of the most important measures that the Government has taken to encourage the supply of manpower among older people is a special Swedish variant of the earned income tax credit (*Jobbskatteavdraget*). People aged between 55 and 64 can also get a New Start Job for up to ten years, which is twice as long as for people aged between 26 and 54. Furthermore, the temporary reduction of the qualification period for a New Start Job for people who have attained the age of 55 will also apply for 2013 with a view to improving opportunities for older unemployed people to remain in the labour market.

162. Since 2013, there has also been an opportunity within the Job and Development Programme (one of the labour market policy programmes) for older participants to attend a

three-month course at folk high schools aimed at encouraging study. Older participants on the Job and Development Programme can benefit from the special recruitment incentive, which includes a higher incentive amount and access to the support of a supervisor.

Recommendation 19

163. One important and fundamental issue for Sweden's disability policy is to strengthen the opportunities for people with disabilities to participate in the labour market on equal terms. Participation in working life is an issue closely linked to the opportunity to participate in other parts of society. Since the launch of the action plan *Från patient till medborgare* [From Patient to Citizen], all government authorities have thus been directed to improve their accessibility in terms of premises, communications and their internal operation. These developments have been continuously monitored and there has been a clear improvement to and increased awareness of the importance of making these operations accessible to everyone regardless of disability, although the Government is of the opinion that progress has been too slow.

164. In 2009, the Government conducted an analysis of the advances made within the framework of work relating to the action plan and considered that improvements had been made; for example, that accessibility for people with disabilities had improved within most sectors of society. Particular reference was made to initiatives in partnership with different actors such as government and public authorities. One example is the cooperation implemented in relation to improvements to physical accessibility in public places. This work has been successful as it was implemented within structured planning and strategy work.

165. Experiences from the first ten years of the action plan resulted in the Government adopting a strategy in 2011 to further accelerate the implementation of disability policy in Sweden. Experiences from work on the action plan showed that it was difficult to monitor actual developments owing to a lack of objectives capable of being followed up and statistics. For this reason, the Government increased the number of public authorities with special responsibility for enforcing disability policy within their area of operation from twelve to twenty-two.

166. The authorities have structured objectives to be implemented, measured and followed up during the five-year implementation period of the strategy. The Government places great importance in the strategy on the results of the implementation of disability policy having an impact on the living conditions of people with disabilities. Swedish Level-of-Living surveys are being improved so that they are better able to report on the situation of people with disabilities compared with the rest of the population.

167. National reports were published in 2012 and 2013, which reported on both initiatives implemented by public authorities, county councils and municipal authorities and their impact on individuals with disabilities. Examples of areas that have a direct impact on the opportunity to participate in working life where improvements could be observed are that more physical obstacles within the outdoor environment have been removed, that more students with disabilities are enrolling at universities and university colleges, and that the funding for personal assistance is increasing.

Recommendation 20

168. Integration policy comprises part of the Government's overarching work to stimulate supply and demand for labour, improve matching in the labour market together with more and growing businesses. One important objective is that faster and better use should be made of competence and that incentives to accept work are improved. Society should be better at utilising the competence of foreign-born Swedes and work to accelerate

introduction into work for people whose previous education is very limited. Newly-arrived women and young people who are not in education, employment or training are groups that require an additional focus.

169. One of the most important initiatives of the integration policy strategy in 2008 was to procure a system for the reception and introduction of new arrivals that was stable and flexible, thereby accelerating an introduction to work. The Riksdag approved Government Bill *Nyanlända invandrares arbetsmarknadsetablering — egenansvar med professionellt stöd* [Labour market introduction for newly arrived immigrants — personal responsibility with professional support] (2009/10:208) on 17 March 2010. The new draft Act entered into force on 1 December 2010. The target group is refugees, other people in need of protection and relatives who have come to Sweden within two years of the arrival of the person in need of protection.

170. The introduction reform has resulted in a much needed improvement of initiatives for new arrivals. The purpose behind giving the Swedish Public Employment Service a clear responsibility for the reception of new arrivals is to generate more labour-market related initiatives that strengthen opportunities to accelerate labour market introduction for new arrivals. Introduction benefits increase the incentive for new arrivals to work and participate in activities. Development work is still underway at the public authorities and actors involved as a result of the reform.

171. Gender distribution is equal among those participating in the introduction reform. Approximately 20,000 people were eligible for the introduction programme at the end of March 2013; 47 per cent were women and 53 per cent men. Eighty-nine per cent of participants started employment preparation activities or a labour market policy programme during the first six months of their introduction plan. Most had these activities after 18 months on the introduction plan. However, fewer women participate in employment preparation activities than men. According to one survey (Swedish Agency for Public Management, 2012:22) officials from the Swedish Public Employment Service considered that introduction plans are delayed owing to the absence of childcare. This is also the main reason for it being more common for fewer women to have an introduction plan.

172. The Government stated in its Budget Bill for 2013 that the introduction reform needs to be further developed; for example, incentives for starting work should be further strengthened. The initiatives offered within the framework of the introduction reform should be effective and tailored to the preconditions and needs of the target group.

173. A practical base year [*praktiskt basår*] was introduced in February 2013 to create an alternative to the Swedish education system for adults with limited education. The purpose is to give the new arrivals an introduction to new work focusing on practical training. The base year comprises job training that can be combined with vocationally oriented Swedish studies, Swedish for Immigrants courses and theoretical studies focusing on the needs of the workplace where the job training is being held. Furthermore, employers that arrange job training for people covered by the introduction reform and who need more guidance than is possible within a normal work-experience position will be able to get compensation for additional costs with effect from 1 February 2013.

174. However, the difference in respect of the proportion of foreign-born employed women and men continues to represent a particular challenge. The introduction reform is designed to improve the prospects of achieving gender equality between women and men. An individually tailored introduction plan and a benefit that is not affected by the incomes of other members of the household increase the possibilities for women to enter the labour market. However, women are overrepresented among those newly arrived relatives who are not entitled to special introduction activities or introduction benefit. The Government appointed an Inquiry in 2011 to investigate the possibility of increasing workforce

participation among newly arrived women who were born abroad and the relatives of immigrants.

175. The mandate of the Inquiry was to analyse and deepen understanding of the preconditions for labour market establishment for newly-arrived women born abroad and the relatives of immigrants. The mandate of the Inquiry also included surveying the parental benefit claims of women and men born abroad and proposing measures to increase opportunities for newly-arrived men and women who were born abroad to combine parenthood with work and participate in introduction initiatives. The Inquiry delivered its final report, including proposed measures, in October 2012 (Swedish Government Official Reports – SOU 2012:69). This report is currently being circulated for formal consultation.

176. Long-term and intensive claims for parental benefit when the child is older may run counter to moves to get newly-arrived parents to participate in employment preparation activities that may bring them closer to the labour market.

177. The current structure of parental benefit means that parents coming to Sweden with children under the age of eight can claim parental benefit for 480 days even if the child was already over the age of, for example, six when the child arrived in Sweden. The introduction rate for many relatives of immigrants who are not covered by special introduction initiatives is very similar to that for new arrivals covered by the introduction reform.

178. The Government has therefore announced a change to parental insurance, whereby it will only be possible to save a maximum of 20 per cent of the parental benefit days for the period after the child's fourth birthday. It is proposed to increase the upper limit for claiming parental benefit to when the child attains the age of twelve. The proposed amendment is currently being circulated for formal consultation.

Recommendation 36

179. Sweden is not currently ready to sign the United Nations Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families. The protection prescribed in this Convention is indirectly provided by other United Nations conventions on human rights and by the ILO conventions. Sweden is continuing its efforts to guarantee human rights and to implement the conventions on human rights that it has ratified.

Article 7 – Just and favourable conditions of work

Guideline[2] 19 – Minimum wage

180. Reference is made to the previous reports relating to compliance with this article of the Covenant, as no changes to relevant legislation have been made in this respect during the period 2006 to 2013.

Recommendation 31

181. Sweden does not have a statutory minimum wage but this is essentially determined within the frameworks of collective bargaining agreements between employer and employee organisations. The Swedish labour market encompasses just over 650 central

[2] Unless otherwise indicated, the guidelines referred to in the present document are the Guidelines on treaty-specific documents to be submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (E/C.12/2008/2, annex).

collective bargaining agreements. Some of these agreements stipulate the lowest possible wage level and sometimes the minimum amount by which wages should increase under each new agreement.

182. In many areas, actual wages significantly exceed the minimum wages regulated through collective bargaining agreements. Minimum wages are primarily intended to be used when recruiting new staff without any work experience.

183. It may be mentioned that the terms and conditions of collective bargaining agreements normally also apply to employees who are not affiliated to any employee organisation. Collective bargaining agreements include a commitment on the part of employers not to set terms and conditions for non-unionised staff that differ from those for staff affiliated to an employee organisation.

Guideline 20 – Basic employee protection in Sweden

184. The basis for employment protection in Sweden can be found in collective bargaining agreements and legislation relating to, for example, the work environment, employment protection, working hours and various laws on the right to leave from employment. The main law in this area is the Employment Protection Act (1982:80). This governs, among other things, how an employment contract is entered into, the requirement for objective grounds for notice of termination and summary dismissal, rules on priority to protect against arbitrariness in conjunction with notice of termination, rights of priority for reemployment and sanctions for those breaching the Act.

Right to leave

185. An employee is entitled to leave from work for several reasons, e.g. leave owing to:

- Holiday;
- Sickness;
- Parental leave;
- Care of closely related person who is sick;
- Compassionate leave for family reasons;
- Education;
- Starting a business.

186. Sick pay is paid for a certain period during leave owing to sickness, and thereafter sickness benefit, which is paid by the State. Holiday pay is paid by the employer during a holiday. Pregnancy compensation, parental benefit or temporary parental benefit may be paid during parental leave and leave in conjunction with pregnancy. Compensation for the care of a closely related person may be paid in respect of leave to care for a relative. There is no entitlement to pay or other remuneration for the other leave mentioned above.

Leave owing to pregnancy, maternity leave and parental leave

187. There are very good opportunities to combine work and family life in Sweden owing to an advanced parental insurance system and extensive entitlement to parental leave.

188. A pregnant woman is entitled to leave from her employment if she cannot carry out physically demanding work duties and cannot be transferred to other work. The right to leave during pregnancy also applies in certain cases if the work is dangerous for the woman and child.

189. Women are also entitled to maternity leave for seven weeks prior to and up to seven weeks after delivery and are entitled to leave to breastfeed their children. In addition to this, both mothers and fathers are entitled to extensive parental leave when their child is born.

190. Mothers and fathers are entitled to full leave until children are 18 months old. Parents are also entitled to reduce their working hours by 25 per cent until children reach the age of eight or have completed their first year of schooling. In addition to this, parents are also entitled to full leave or a greater reduction of normal working hours as long as the parents are receiving parental benefit. Parents are also entitled to leave from work to care for children who are sick and may then receive temporary parental benefit. The provisions on parental benefit, etc. are reported in detail under Article 10, Guideline 36.

191. Employers may not disfavour employees for reasons related to parental leave. If employees are disfavoured for reasons related to pregnancy or maternity leave, this may also be deemed to constitute discrimination on grounds of gender, which is prohibited under the Discrimination Act (2008:567). Under the same Act, employers must also facilitate the possibility for both female and male employees to combine employment and parenthood.

192. Parental leave covers all employees, i.e. even employees with fixed-term employment and employees working part-time. It is also prohibited under the Prohibition of Discrimination of Employees Working Part Time and Employees with Fixed-term Employment Act (2002:293) for an employer to discriminate against such employees by applying less beneficial pay or other terms and conditions of employment for these employees than for its employees who work full time or have an indefinite-term employment.

Overtime

193. Refer to previous reports in respect of working hours and overtime as no changes were made to relevant legislation during the period 2006 to 2013.

Guideline 21 – Pay disparities between women and men in 2011

194. It is stipulated in the Government's Instructions for the National Mediation Office[3] that the Office is to analyse wage trends from a gender-equality perspective. The pay analysis conducted by the National Mediation Office for 2011 shows that the unweighted pay difference between women and men amounted to 14 per cent, which may be compared with 16 per cent at the time of the previous report, which related to data for 2004. The single most important explanation for the pay disparity between women and men is that women and men work in different occupations where there are different levels of pay. Other factors that have a bearing are age, sector, education and whether the work is full- or part-time.

195. The National Mediation Office compared and analysed the proportion of women and men working in the 355 most common occupations in Sweden in 2005, 2009 and 2011. Trends during these years indicate that the labour market has generally become slightly less disaggregated by gender.[4] The analysis also indicates that the proportion of women in the

[3] Agency responsible for labour disputes and wage formation.

[4] Here the National Mediation Office uses a gender segregation index, where the value 0 means that the distribution of the labour market is perfectly even and where the value 100 means that the labour market is completely disaggregated. The index has reduced from 58 (2005), 56 (2009) to 55 (2011).

most male-dominated occupations has increased while the proportion of women in the most female-dominated occupations has reduced.[5]

196. The pay disparity between women and men was studied using a "standard weighting" that takes account of, for example, occupation, working hours and level of education. The unexplained pay difference amounted to 6 per cent upon such an analysis, which may be compared with 8 per cent in 2004.[6] The pay analysis does not provide any answer to whether the remaining disparity is due to discrimination, although this may comprise part of the explanation.

197. Trends in salary statistics show that the pay disparity has reduced for all sectors (private sector as well as central and local government) and that pay for women in all age groups is approaching the pay for men. Statistics indicate that the fastest moving trend is for women over the age of 45, which may be explained by more women being appointed to managerial positions.

198. Although the trend is generally heading in the right direction, the pay analysis at the same time shows that pay disparities are also found on entry to the labour market after certain courses have been taken; for example, the salary for newly graduated male engineers is higher than that for newly graduated female engineers. The statistical analysis does not explain whether there are any non-objective pay differentials.[7]

Action taken by the Government to reduce pay disparities between women and men

199. As mentioned above, the National Mediation Office analyses pay trends from a gender-equality perspective. Furthermore, the authority, in its discussions with social partners, highlights the importance of formulating central collective bargaining agreements so that they promote the work of local parties in relation to pay issues from a gender-equality perspective. The National Mediation Office consults the Equality Ombudsman (the authority that replaced JämO in 2009) in the course of this work. However, the social parties have the primary responsibility for eliminating the pay disparity between women and men. The Government is working to ensure that discrimination laws function effectively.

200. The Swedish Government appointed a special Delegation for Gender Equality in Working Life in 2011 (ToR 2011:80). This Delegation will investigate the different conditions for women and men and will propose ways of promoting gender equality in working life and reducing the pay disparity between the genders. This involves, among other things, identifying better career and development opportunities in the female-dominated sector and measures to reduce gender segregation in the labour market. The Delegation includes representatives of social partners. The Delegation will propose ways of promoting gender equality in working life and reducing the pay disparity between women and men. A final report on the mandate is to be delivered by no later than 24 October 2014.

201. A further measure was taken by the former JämO, who conducted a review during the period 2006 to 2008 that covered 568 of the largest government and private employers in Sweden. This review resulted in almost half (44 per cent) of these employers identifying non-objective pay differentials for 5,246 people in total, 90 per cent of whom were women.

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[5] National Mediation Office (2013), *Avtalsrörelsen och lönebildningen* [Bargaining rounds and wage formation], 2012.

[6] Wage and Salary Structure Statistics, Statistics Sweden and the National Mediation Office 2012.

[7] National Mediation Office (2012), *Vad säger den officiella lönestatistiken om löneskillnaden mellan kvinnor och män 2011?* [How do official pay statistics explain the differences in pay between women and men in 2011?].

Employers implemented pay adjustments amounting to SEK 72 million in total per year or SEK 1,120 on average per person and month. A further third of the employers reviewed took measures other than direct pay adjustments with a view to improving the work to achieve equal pay, for example, through better application of the criteria for individual pay setting in local wage formation.

Active measures

202. Under the Discrimination Act (2008:567 – DL), employers and employees are to cooperate on active measures to bring about equal rights and opportunities in working life regardless of, among other things, sex. They are in particular to endeavour to equalise and prevent differences in pay and other terms of employment between women and men who perform work which is to be regarded as equal or of equal value. They are also to promote equal pay growth opportunities for women and men (Chapter 3, Section 1 of DL).

203. Every three years the employer is to conduct a "pay survey" in order to discover, remedy and prevent non-objective gender differences in pay and other terms of employment. Every third year an employer with at least 25 employees shall also draw up an action plan for equal pay (Chapter 3, Sections 10 and 11, DL).

204. As in the JämO's previous review, the Government instructed the Equality Ombudsman in the spring of 2013 to increase its work with conducting pay surveys at different places of work. This follow-up should provide answers to whether employees have continued to apply a systematic approach since the last review. The DO initiated work in April 2013 to review the actions plans for achieving equal pay for 470 major Swedish employers. This mandate will run for the period 2013 to 2014 with a total appropriation of SEK 9 million.

205. The Government made a decision in July 2012 to appoint an Inquiry to conduct an unbiased review of the rules on active measures contained in the Discrimination Act. The Inquiry is to deliver a report by 1 February 2014.

Guideline 22 – Sexual harassment under the Discrimination Act

206. The purpose of the Discrimination Act (DL) is to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. The prohibition of discrimination applies within most areas of society, for example, working life, education and health and medical services.

207. The prohibition of discrimination contained in the Discrimination Act covers five forms of discrimination: direct discrimination, indirect discrimination, harassment, sexual harassment and instructions to discriminate (Chapter 1, Section 4 of the Discrimination Act). "Sexual harassment" means conduct of a sexual nature that violates someone's dignity.

208. The Equality Ombudsman (DO) is responsible for ensuring compliance with the Discrimination Act. The DO must first endeavour to get those covered by the Act to comply with it voluntarily.

209. Under Chapter 2, Section 1 of DL, an employee may not discriminate against a person who, with respect to the employer, is an employee, is enquiring about or applying for work, is applying for or carrying out a traineeship, or is available to perform work or is performing work as agency or borrowed labour.

210. If an employer becomes aware that an employee considers that he or she has been subjected in connection with work to harassment or sexual harassment by someone performing work or carrying out a traineeship at the employer's establishment, the

employer is obliged to investigate the circumstances surrounding the alleged harassment and where appropriate take such measures as may reasonably be required to prevent harassment in the future. This obligation also applies with respect to a person carrying out a traineeship or performing work as agency or borrowed labour (Chapter 2, Section 3 of DL).

211. Furthermore, employers are to take measures to prevent and hinder any employee being subjected to harassment or reprisals associated with sex, ethnicity, religion or other belief, or to sexual harassment. Employers who do not take such measures may be ordered to fulfil them subject to a pre-determined fine for default. Such orders are issued by the Board against Discrimination on application from the DO (Chapter 3, Sections 6 and Chapter 4, Section 5 of DL).

212. A natural or legal person who violates the prohibition of discrimination shall pay compensation for discrimination for the offence resulting from the infringement. The same applies to a natural or legal person who fails to fulfil their obligations to investigate and take measures against harassment or sexual harassment. The compensation shall be paid to the person who has been offended by the infringement (Chapter 5, Section 1 of DL).

213. As regards the penal regulation of sexual harassment from a penal code perspective, it may be observed that the United Nations Committee requires legislation that specifically criminalises sexual harassment in the workplace. There is no such specific legislation in the Penal Code. However, the Penal Code criminalises several different kinds of sexual offence that are of a general nature. For instance, it should therefore be possible to sentence a person who sexually harasses someone at their place of work for sexual molestation, depending on the individual circumstances.

Statistics on matters relating to sexual harassment

Sexual harassment complaints received (2006–2013)

214. As far as can be observed upon a review of the matters registered at the DO and the annual reports of the former Equal Opportunities Ombudsman (JämTableO), the following matters were received: The JämO received 59 complaints relating to sexual harassment in working life during the period 1 January 2006 to 31 December 2008. Matters relating to harassment on grounds of gender may also be included in these statistics. These matters relate to both the issue of harassment and discrimination and the issue of the employer's obligation to investigate. The JämO settled a total of five matters relating to sexual harassment during the period in question. No judgments on sexual harassment were pronounced during the period in question where proceedings had been brought by the JämO.

215. The DO received 105 complaints relating to sexual harassment in working life during the period 1 January 2009 to 31 March 2013. The DO settled five such matters during the same period. Two judgments were pronounced during the period in question for cases pursued by the DO. A brief summary of the circumstances of the matters in question is provided below.

216. It is primarily women who report complaints to the DO in relation to sexual harassment; see statistics below. In general, it may be observed that these matters are often difficult to investigate as the events sometimes happened a long time ago. Word against word situations are often involved.

Table 1

Total matters relating to sexual harassment in working life submitted to the JämO and DO, 1 January 2006 to 31 March 2013

2006	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*
12	24	23	28	29	26	16	6

Table 2

Complaints relating to sexual harassment in working life submitted to the JämO and DO, 1 January 2006 to 31 March 2013 (broken down by gender)

	2006	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*
Women	11	23	17	24	28	19	12	3
Men	1	1	6	4	1	7	2	3
Undefined	-	-	-	-	-	-	2	-

DO's settlements

ANM 2011/1319, ANM 2011/1599

217. Two employees at a forestry company filed a complaint about being harassed by their supervisor. The parties entered into a settlement whereby the employees each received SEK 60,000.

ANM 2009/1936

218. A woman was given notice of termination by her employer when she announced her pregnancy. Her supervisor had sexually harassed her on an almost daily basis during the time she had worked there, asking questions about her sex life. The DO and the employer concluded an agreement, which gave the woman SEK 75,000.

ANM 2009/699

219. A woman filed a complaint about being sexually harassed while working as a conference hostess for an insurance company. The DO concluded a settlement with the employer for SEK 100,000.

JämO 2008/1239

220. A woman filed a complaint with the JämO stating that she had pointed out to her manager on several occasions that a colleague was subjecting her to sexual harassment, but the employer did nothing to stop this harassment. Instead the woman was stopped from making further trips and her fixed-term employment was terminated prematurely. The DO concluded a settlement with the employer for SEK 95,000.

DO's matters at court

Labour Court (AD) 2011 no. 13

221. Issue of whether a supervisor, owing to certain statements and a drawing, subjected two employees to: first, discrimination in the form of ethnic harassment, harassment on grounds of gender and sexual harassment; second, reprisals. The employer was ordered to pay SEK 25,000 and SEK 35,000 in damages respectively to the two employees for sexual

harassment in relation to both employees and ethnic harassment in relation to one of the employees.

AD 2012 no. 60

222. The Labour Court ordered a driving school to pay SEK 150,000 to a female employee after her manager subjected her to sexual harassment.

Cases dealt with by other actors

223. According to the JämO's annual report on matters for 2006, two settlements were registered that related to sexual harassment in matters pursued by union organisations.

224. The DO does not have access to any statistics on matters dealt with by other actors in this area.

DO's and JämO's preventive work to combat sexual harassment in working life (2006–2013)

225. The former Equal Opportunities Ombudsman (JämO) implemented a project relating to sexual harassment and gender-related harassment during the period 2006 to 2007. The project resulted in the *Handbok om sexuella trakasserier och trakasserier på grund av kön i arbetslivet* [Manual on sexual harassment and gender-related harassment at work] and a review of the knowledge and research within this area. The manual has been widely disseminated and is available as a PDF (Swedish only) that can be downloaded from the website of the Equality Ombudsman (DO): www.do.se. Various education and training initiatives targeted at working life were also implemented within the project.

226. The DO organises continuous training courses on the responsibility of employers to conduct goal-oriented work to combat harassment and sexual harassment within the framework of their activities.

227. The DO sent out a newsletter in 2012 to all employers with ten or more employees to make them aware of their responsibilities under the provisions of the Discrimination Act (Chapter 3 of DL). In addition to the newsletter, this mailing included the entire act, guidance produced by the DO as support for the work of employers involving active measures (which includes sexual harassment) and a folder of materials and tools provided by the DO. This mailing encompassed 41,544 employers.

228. The DO conducts systematic reviews of the work of employers involving active measures. Such reviews may include sexual harassment. One of the aims of the DO's targeted compliance work is that after a review has been conducted employers should conduct work that lives up to the requirements of the Act.

229. The authority has observed in the course of previous major reviews increased activity on the part of the object subject to the compliance work, and it may here be reasonable to assume that activity related to an employer's obligation to prevent and hinder harassment and sexual harassment increases in conjunction with compliance work being undertaken.

230. There has been a telephone hotline for the DO since 2012 that is specifically used to answer questions about the scope and meaning of the provisions on active measures. This service provides employers with, among other things, advice and support in respect of the preventive work to combat sexual harassment.

Guideline 23 – Legislation on issues related to the work environment

231. Work environment legislation primarily comprises the Work Environment Act (1977:1160), the Work Environment Ordinance (1977:1166) and approximately 100 regulation booklets issued by the Swedish Work Environment Authority.

232. The Swedish Work Environment Authority is the supervisory authority. The authority is entitled to receive the information, documents and samples and to order the investigations required to exercise supervision. The authority is entitled to be afforded access to premises to carry out its supervisory work. The Swedish Work Environment Authority may issue to the person who has safety responsibility such orders or prohibitions as are needed to secure compliance with the Act or with regulations made under the same. Orders and prohibitions may be issued in conjunction with a pre-determined fine for default. The Government may prescribe that special penalty charges be imposed in matters under the Work Environment Act.

233. Certain changes have been made to the Work Environment Act since the previous report. These changes involved, among other things, an amendment of the rules relating to safety officers, which means that pupils, students and their representatives are afforded greater opportunities to pursue work environment issues. The exclusion in the Work Environment Act for work done in the employer's household has been removed, which means that the Act now encompasses all kinds of work. Appeals against decisions issued by the Swedish Work Environment Authority in individual cases are now to be made to the administrative court instead of the Government as was previously the case.

234. The Government adopted a Bill (Government Bill 2012/13:143) on 4 April 2013 to deal with more effective sanctions within the area of work environment and working hours. These statutory amendments enter into force on 1 July 2014. The background to the statutory amendments is that the penal sanctions applied to date have been ineffective. Although the Swedish Work Environment Authority, police and prosecutors have devoted a great deal of work to investigating reported offences, this often does not achieve any results in spite of long investigation periods. The fines that currently apply for a large group of rules that relate to the work environment and working hours are being replaced with penalty charges. The amount of a penalty charge may amount to SEK 1 million.

235. The Swedish Work Environment Authority made decisions during the period 2006 to 2013 regarding a number of new provisions in the work environment area. These include provisions on the work environment for minors, ergonomics, the use of portable chainsaws and brush saws, chemical hazards in the working environment, diving work, rock and mining work, lasers, artificial optical radiation, women who are pregnant and breastfeeding and also provisions on work with animals.

Other initiatives related to the work environment

236. The Swedish Work Environment Authority has conducted special compliance initiatives targeted at, for example, the work environment for women, the temporary employment sector, schools, violence and menaces, young people, asbestos, trucks, forestry, care services and trade. In addition to this, a compliance method called "screening" is being tested in the graphics sector on the mandate of the Government. The idea of screening is that the Swedish Work Environment Authority conducts compliance work at all undertakings within a sector and examines both work relating to the work environment that is being conducted at the undertaking and the actual work environment. In addition, the Swedish Work Environment Authority actively participates in European Union compliance campaigns.

237. In 2010, the Government adopted a national action plan for work environment policy for the period 2010 to 2015. This action plan prioritises initiatives relating to

regulations and compliance, counselling and support, new risks and initiatives to recognise the importance of the work environment and develop and disseminate knowledge. Furthermore, priority has been afforded to initiatives that promote conditions at the workplace for receiving and retaining people coming from some form of exclusion and initiatives for the development of knowledge and exchange of experiences. In order to promote a greater awareness and knowledge of work environment issues throughout society, priority is also to be given to initiatives to increase active involvement and also to increase the dissemination of knowledge about and increase the focus on the work environment in education.

238. The Swedish Work Environment Authority will establish a national function in 2013 for the knowledge area of work environment and working life. The authority is to develop its operation as a knowledge mediation resource with the aim of making beneficial use of research findings relating to the work environment and working life. This extended mandate will help to promote the development of workplaces together with the activities to disseminate information and knowledge that are already being conducted by the authority.

Article 8 – Trade unions and freedom of association

239. Sweden has ratified the International Covenant on Civil and Political Rights mentioned in this context together with the following ILO Conventions:

- (No. 87) from 1948 concerning the Freedom of Association and Protection of the Right to Organise;
- (No. 98) from 1949 concerning the Right to Organise and Collective Bargaining Convention;
- (No. 151) from 1978 concerning Labour Relations (Public Services).

240. Sweden has also ratified, among others, ILO Convention (No. 154) from 1981 on Collective Bargaining.

Guideline 24 – Freedom of association and protection of the right to organise

241. Reference is made to previous reports relating to compliance with this article of the Covenant, as no changes to relevant legislation have been made during the period 2006 to 2013.

242. Reference is also made to the Swedish Government's ILO report from August 2012 relating to compliance with ILO Convention No. 87.

Guideline 25 – The right to collective bargaining

243. Reference is made to previous reports relating to compliance with this article of the Covenant, as no changes to relevant legislation have been made during the period 2006 to 2013.

244. Reference is also made to the Swedish Government's ILO report from August 2012 relating to compliance with ILO Convention No. 98.

Guideline 26 – The right to take industrial action

245. Regarding the right to strike, reference is made to the Swedish Government's ILO report from August 2012 relating to compliance with the ILO Convention.

246. Reference is also made to previous reports relating to compliance with this article of the Covenant. However, certain amendments to the law have been made in addition to this.

247. Certain adjustments have been made in respect of industrial action as a result of the judgment issued by the Court of Justice of the European Communities on 18 December 2007 in the Laval case (Case C-341/05). These statutory amendments entered into force on 15 April 2010. The core of these statutory amendments comprises a new Section 5 a for the Foreign Posting of Employees Act (1999:678), which briefly means that industrial action against a foreign employer for the purpose of establishing a collective bargaining agreement for workers who are posted to Sweden may only be taken under certain circumstances. A more detailed account is referred to in the Swedish Government's ILO report from August 2012 and September 2010 relating to compliance with ILO Convention No. 98.

248. Furthermore, the Foreign Posting Act was amended on 1 January 2013 in conjunction with the implementation of Directive 2008/104/EC of the European Parliament and of the Council on Temporary Agency Work in the "Temporary Agency Work Directive". This statutory amendment means that industrial action against an employer for the purpose of regulating conditions for posted workers through a collective bargaining agreement may only be taken if the conditions demanded:

(1) Correspond to the conditions contained in a collective bargaining agreement concluded at the central level that are generally applied throughout Sweden to corresponding workers within the temporary agency work sector and respect the overall protection of workers referred to in the Temporary Agency Work Directive;

(2) Relate only to pay or conditions in certain areas; and

(3) Are more favourable for the workers than prescribed by law. Such industrial action may not be taken if the employer shows that the workers have conditions that in all essential respects are at least as favourable as the conditions contained in such a central collective bargaining agreement in the temporary agency work sector, or the collective bargaining agreement that applies at the user undertaking, i.e. the undertaking where the temporary agency workers perform their work. In other words, in contrast to the provisions otherwise applicable to foreign postings, the new rules mean that the employee organisations can take industrial action to establish conditions in certain areas, going above the minimum level.

249. A statutory amendment to the Foreign Posting Act is planned, which will enter into force on 1 July 2013. This amendment means that an employer who posts employees in Sweden will be liable to give notice to the Swedish Work Environment Authority (AV) concerning the foreign posting and appoint a contact person in Sweden. This contact person shall be authorised to accept the service of documents on behalf of the employer and be able to present such documents as may be necessary to show that the requirements of the Foreign Posting Act are satisfied.

250. With regard to restrictions on the right to strike, reference is made to previous reports relating to compliance with this article of the Covenant, as no changes to relevant legislation have been made during the period 2006 to 2013.

251. With regard to essential services during strike action, reference is made to previous reports relating to compliance with this article of the Covenant.

Article 9 – Social security

Health and medical services

252. Reference is made to Sweden's last report concerning ILO Convention No. 102 (High-cost protection schemes for medicinal products and medical services).

Cash sickness benefits

253. Reference is made to Sweden's last report on ILO Convention No. 102 and its fifth periodic report (E/C.12/SWE/5).

254. Over and above the exclusions introduced as of 1 January 2010, sickness benefits at continuation level may be paid for more than 550 days as of 1 January 2012 where it would be unreasonable not to grant sickness benefit considering the individual's sickness.

255. People who had received the former (now abolished) temporary sickness compensation for the maximum period, and who have no — or only low — sickness benefit qualifying income, can receive sickness benefit/rehabilitation benefit in special cases as of 1 January 2012. Full sickness benefit in special cases is SEK 160 per day.

256. A person who previously received temporary sickness compensation can also receive housing supplement. Housing supplement is a supplement to sickness benefit and sickness benefit in special cases (including rehabilitation benefits). Housing supplement may also be paid to a person participating in the Introduction to Working Life Programme via the Swedish Public Employment Service. Housing supplement may only be paid to a person who previously received temporary sickness compensation and, from 1 January 2013, to a person whose activity compensation has ceased owing to the individual attaining the age of 30.

257. Full housing supplement is paid to a person who receives sickness benefit or sickness benefit in special cases amounting to less than SEK 52,400 per year. The housing supplement is reduced if the benefit exceeds this amount. The amount of the housing supplement is dependent on whether the individual is married and has children. The maximum amount of housing supplement is SEK 84,000 kronor per year. A married person may receive SEK 42,000 maximum per year. If the person has children, a supplement of SEK 12,000 is paid for one child, SEK 18,000 for two children and SEK 24,000 for three or more children.

258. If the individual receives sickness benefit or sickness benefit in special cases or corresponding rehabilitation allowance exceeding SEK 52,400 per year, housing supplement is reduced by 70 per cent of the surplus amount. The same applies to activity grant paid out under the Working Life Introduction Programme. Housing supplement is tax-free.

259. The purpose of these provisions is to enable the people belonging to the group who previously received temporary sickness compensation at guarantee level to receive a corresponding level of benefit if they cannot return to work owing to sickness.

260. The Government has initiated a number of studies to gain a better understanding of the underlying reasons for the significant gender gap in sickness absence. These cover issues such as whether there are any differences in the responsibility assumed by women and men for children and the family that may explain the higher level of sickness absence for women. Furthermore, studies are to be conducted into whether there are any medical explanations for the differences in sick leave and whether the way in which the Swedish Social Insurance Agency applies health insurance is different for women and men.

Parental benefits

261. Reference is made to Sweden's last report on ILO Convention No. 102, the fifth periodic report and also the report under Article 10, Guideline 36.

Retirement, invalidity and survivors' benefits

262. Reference is made to Sweden's last report on ILO Convention No. 102 and the fifth periodic report.

263. Pension benefits within social insurance have been administered by a new single government authority (the Swedish Pensions Agency) since 1 January 2010.

264. The rules on housing supplement for pensioners who have attained the age of 65 have been amended by adding an additional amount of SEK 340 per household to housing supplement. This means that the maximum housing supplement paid is SEK 4,990 per month (for unmarried persons who have attained the age of 65).

265. The "reasonable standard of living" linked to the benefits for special housing supplement for pensioners and maintenance support for the elderly has been increased to 1.4468 price base amounts, from and including January 2013, for people who are unmarried and have attained the age of 65.

266. The rules for granting sickness compensation were amended as of 1 July 2008 in such a way that a person's capacity to work must be permanently impaired and also that all rehabilitation options are assessed to have been exhausted: this is to ensure that sickness compensation is only paid to people with a more permanent impairment to their capacity to work.

267. Capacity to work must also be considered to be impaired in respect of all of the work available in the entire labour market. Temporary sickness compensation, which was considered to result in a disproportionate amount of permanent sickness compensation, has been abolished. Transitional provisions have been introduced for those people who were already receiving temporary sickness compensation on 1 July 2008. These transitional provisions mean that the person could be granted a further maximum 18 months of temporary sickness compensation when an existing period of temporary sickness compensation has ceased. These transitional provisions applied up to and including December 2012.

268. New rules for activity compensation were also introduced as of 1 July 2008, with the effect that such benefits may be granted if the capacity to work is considered to be impaired for all of the work available in the whole labour market for at least one year. As previously, activity compensation comprises a temporary benefit granted for a period of between one and three years.

269. New rules entered into force from and including December 2008 for people who receive sickness compensation, which is not time-limited, determined in accordance with the rules applicable prior to July 2008. These rules started to apply on 1 January 2009 and mean that a person who receives sickness compensation can work, study etc. without this affecting their right to sickness compensation. Payment of sickness compensation only reduces if the person is in gainful employment with an income in excess of a certain exempt amount; it then reduces by 50 per cent of such income in excess of the exempt amount.

270. New rules on dormant activity compensation entered into force in January 2013 for people with an impaired capacity to work. These rules mean that people who receive activity compensation may be able to receive dormant compensation for trying out work or study for up to two years. The fact that the benefit is dormant means that individuals are able to discontinue their work trial at any time whatsoever and get their activity compensation reinstated. An amount corresponding to 25 per cent of the dormant activity compensation is paid for as long as activity compensation is dormant to enable individuals to try out work.

271. The purpose of the two reforms mentioned above is to encourage people to make an attempt to enter working life, either for the first time or following a long absence from working life.

Other benefits for people with disabilities

272. Reference is made to Sweden's last report on ILO Convention No. 102 and the fifth periodic report.

Occupational injury benefits

273. Reference is made to Sweden's last report on ILO Convention No. 102.

Unemployment benefits

273. Reference is made to Sweden's last report on ILO Convention No. 102 and the fifth periodic report.

Family benefits

274. Reference is made to Sweden's last report on ILO Convention No. 102 and the fifth periodic report.

275. Monthly child allowance of SEK 1,050 is paid for each child. The large-family supplement was increased on 1 July 2010. Large-family supplement is paid at an amount of: SEK 150 per month for the second child, SEK 454 per month for the third child, SEK 1,010 per month for the fourth child and SEK 1,250 per month for the fifth and subsequent children.

276. Maintenance support amounts to SEK 1,273 per month. Children are entitled to receive extended maintenance support up to and including June of the year in which they attain the age of 20 if they are pursuing studies that entitle them to extended child allowance or study assistance for upper secondary students after the child has attained the age of 18.

277. Housing allowance in the form of a special allowance for children at home was increased on 1 January 2012. The allowance was increased by SEK 350 to SEK 1,300 per month for households with one child, by SEK 425 to SEK 1,750 per month for households with two children, and an increase of SEK 600 to SEK 2,350 per month was made for households with three or more children.

278. Housing allowance in the form of an allowance for housing costs for households without children was increased at the same time. The proposal covers all young people without children who receive housing allowance, and the average increase is SEK 120 per month.

279. Furthermore, the lower limit for qualifying housing costs for families with children also reduced as of 1 January 2012. Only housing costs over a certain amount are included when calculating housing allowance for families with children. This limit was reduced so that housing allowance is not paid for housing costs up to SEK 1,400 kronor per month; the limit was previously SEK 2,000 month. This proposal means that the housing allowance for most families with children has increased by SEK 300.

280. The opportunity for municipalities to introduce a voluntary municipal child-raising allowance started as of 1 January 2006. This child-raising allowance gives parents more opportunities to stay at home and look after their children during the period when their child is between one and three years old. A monthly child-raising allowance of SEK 3,000

per child is paid subject to certain conditions in those municipalities where the allowance has been introduced.

Financial assistance

281. Reference is made to Sweden's last report on ILO Convention No. 102 and the fifth periodic report.

Article 10 – Family and marriage

Guideline 34 – The right to enter into marriage of one's own free will

282. There is a formal requirement that both of the persons entering into a marriage must be physically present at the marriage ceremony at the same time for the marriage to be valid. They should each individually declare their consent to the marriage in response to the question from the person officiating at the wedding. Furthermore, forcing someone to enter into marriage is punishable in Sweden as unlawful coercion. The penalty for this offence normally comprises fines or imprisonment of up to two years. The Government is currently considering a proposal from an Inquiry concerning the introduction of a special offence relating to forced marriage. More acts would thus be punishable and the range of punishment would be more severe.

283. Also refer to the information under Guideline 36 below.

Guideline 35 – Social security for children, people with disabilities and older people

Pre-schools and leisure-time centres

284. Pre-school shall be offered to all children who are resident in Sweden and who have not started pre-school classes, compulsory school or a corresponding type of education. The municipality of residence is responsible for pre-school education being provided for all children in the municipality who are to be offered pre-school and whose custodians so wish.

285. Pre-school shall be offered to children from and including the age of one to the extent required, taking into account the parents' work or studies and the child's own needs considering the family's situation in general. Children whose parents are unemployed or on parental leave to care for another child shall be offered pre-schooling at a scope of at least three hours per day or 15 hours per week.

286. Pre-school places shall be offered within four months of a request from the custodian. Approximately 95 per cent of all four and five-year olds and almost half of one-year olds in Sweden were registered at pre-school in 2012. The gender gap is small. The proportion of girls enrolled between the ages of 4 and 5 is 94.4 per cent whereas it is 94.9 per cent for boys. The proportion of one-year-old girls enrolled is 48.8 per cent whereas the proportion of boys enrolled is 49.7 per cent.

287. Each municipality is obliged to offer education at leisure-time centres for pupils attending the municipality's pre-school classes, compulsory schools and compulsory schools for pupils with learning disabilities. Education at leisure-time centres shall be offered to the extent required, taking into account the parents' work or studies or the pupil's own needs owing to the family's situation in general. Leisure-time centres shall be offered up to and including the spring term in which the pupil attains the age of 13. Approximately 83 per cent of pupils between the ages of six and nine were enrolled at a leisure-time centre in 2012. The gender gap is small here as well. There is a difference of less than half a percentage point in the proportion of girls enrolled (82.6 per cent) in relation to boys enrolled (82.9 per cent).

288. There is no requirement to offer pre-schools or leisure-time centres during evenings, at night, at weekends or in conjunction with major holidays. However, it is clarified in the new Education Act (2010:800), which applies from 1 July 2011, that the municipality should also endeavour to offer care for children during those periods when pre-schools or leisure-time centres are not being offered to the extent required, taking into account the parents' work and the family's situation in general. According to the Government, the aim must be to provide municipally funded care even during "inconvenient working hours" for children whose parents are in need of such provision. The Government also made a decision in December 2012 on a government grant for care during periods when pre-schools or leisure-time centres are not being offered. This grant is intended to encourage municipalities to offer more care to cover inconvenient working hours.

289. A maximum fee system was introduced in 2001, i.e. a regulated maximum fee that parents may need to pay for their children to attend a pre-school or leisure-time centre. The maximum fee that may be charged for a child at pre-school or a leisure-time centre is based on a percentage of income or up to SEK 1,260 per month for the first child at pre-school or a leisure-time centre. The maximum fee per child for parents with several children reduces and no fees are charged from the fourth child. Restricting fees to a certain maximum proportion of income guarantees that even those on the very lowest incomes will benefit from the reduction in fees. The introduction of a maximum fee was made with the objective of increasing the opportunities for families with children to arrange family and working life in a way that suits the needs of the family. Public, free pre-schools have been offered for all three, four and five-year olds since 2010 and cover at least 525 hours per year.

Rights legislation for people with disabilities

290. There is extensive rights legislation in Sweden for people with disabilities, namely the Act concerning Support and Service for Persons with Certain Functional Impairments (LSS). The purpose of this Act is for people with disabilities to receive the support necessary to be able to live a life that is as independent as possible.

291. People covered by this Act include people with an intellectual disability, autism or a condition resembling autism, people with a significant and permanent intellectual impairment after brain damage in adulthood and people with other physical or mental impairments that are not due to normal ageing and endure for a long time. The framework includes ten free support measures.

292. The purpose of several of these measures is to provide support based on individual needs and enable children and adults with a disability to live with their families. Through the "personal assistance" measure, people can employ their own (one or more) personal assistants or get such assistants via the municipality to help with mealtimes, transportation, personal hygiene, daily social activities and as intermediaries.

293. The companion service is another measure that functions as support for contacts in the community, for example if a visit to a health care establishment is necessary. The companion service is mainly for people whose disability is not extensive enough to necessitate one or more personal assistants.

294. Children with disabilities are entitled to spend a period of time at a special short-term home, with a support family, at a summer camp or the like. The aim of this measure is to provide people with a disability with a change of scene while relatives get some rest and relief.

295. People carrying out support measures (for example a personal assistant) have a duty of confidentiality and may not disclose anything about the circumstances of those receiving help. According to law (Lex Sarah), everyone involved in providing assistance measures

under LSS is obliged to report shortcomings and unsatisfactory situations and the risk of shortcomings and unsatisfactory situations within their operation.

Social services for older people

296. Social services in Sweden have developed over many years. Gradual changes have been made to the Social Services Act since its introduction in 1982. These changes have adapted the Act to modern reality based on its overall objectives of democracy and solidarity, the promotion of people's economic and social security, equality of living conditions and active participation in society.

297. In addition to its overall provisions, the Social Services Act also includes special provisions for different groups, such as older people and people with disabilities.

298. The services provided by social services are based on an individual assessment of a person's needs. An appeal may be made to an administrative court if the person seeking support is not satisfied with the support decisions made. A social service may include a number of different measures. For example, a home-help service may include help with shopping, cleaning, personal care, support at mealtimes, social alarms and daily activities. Home-help services and care may need to be offered around the clock to enable people with extensive needs to continue living in their own homes. Short-term accommodation may also be offered as a supplement to, for instance, a concentrated rehabilitation measure, care following hospitalisation, healthcare at home and to give people caring for relatives a break and opportunity to recover.

299. Important points of departures for social services are that the initiatives are of high quality and available when required, regardless of social background, economic conditions, place of residence, ethnicity and gender. Municipalities are also under a duty to follow up the initiatives decided to consider their outcomes and effectiveness. Better social planning, improved and more accessible housing, adaptations to improve accessibility at home and more and better assistive aids also play an important role for functioning support.

300. The Swedish Government has initiated guidance for healthy ageing. The purpose is, among other things, to inspire municipalities to work in partnership with non-governmental organisations to create various activities to promote health, such as cultural events, cooking, dancing, etc. Target groups are primarily people between the ages of 60 and 75 who have minor ailments. This initiative also includes an investment in wellness coaches who have been instructed to help those with minor health problems to lead healthier lifestyles.

301. Families, relatives, friends and neighbours provide a significant part of the support for people who require support for various reasons. It has been laid down in the Social Services Act since 2009 that social welfare committees in municipalities are under an obligation to offer support for people caring for next-of-kin who are suffering from a long-term illness, are elderly or have a disability. The purpose of this provision is to avoid relatives or next-of-kin being forced into assuming a major responsibility for nursing. Caring for next-of-kin who are adults must be voluntary. The purpose of the support provided by municipalities is instead to prevent the physical or mental ill-health of people who make the decision to care for next-of-kin.

Guideline 36 – Maternal and parental benefits

302. Reference is made to the report in Article 7, which provides information about working conditions, prohibition of termination of employment and the right to leave during and following pregnancy for women and men.

303. Reference is also made to Sweden's last report on ILO Convention No. 102.

Parental benefit

304. There are very good opportunities to combine work and family life in Sweden owing to an advanced parental insurance system and extensive entitlement to parental leave. Parents who have joint custody of a child are entitled to parental benefit for 480 days in aggregate: 240 days for the man and 240 days for the woman. A parent who has sole custody shall receive parental benefit for all 480 days. 390 of these 480 days are related to income.

305. A basic level of parental benefit may be paid (SEK 225 per day) if the parent has no income, is not insured for employment-based benefits or does not satisfy certain qualification conditions. This basic level was increased from the previous figure of SEK 180 per day to SEK 225 per day on 1 January 2013. The benefit is the same for everyone (SEK 180 per day) for 90 minimum level days. The benefit ceiling for parental benefit was increased from 7.5 to 10 price base amounts from 1 July 2006. From 1 January 2012, the parents have the option of drawing parental benefit at the same time for a maximum of 30 days during the child's first year of life.

306. A pregnant woman can draw parental benefit 60 days prior to the estimated date of delivery. Parents can choose when they want to draw parental benefit, up until the child's eighth birthday or the later date on which the child finishes the first year of compulsory school. Benefits may also be drawn for part of a day.

Pregnancy benefit

307. A pregnant woman whose capacity to work is impaired owing to the pregnancy may be entitled to pregnancy benefit. It is possible to receive this benefit for at most 50 days, from the 60th day before the expected delivery date until ten days before the expected delivery date. Women, who have been prohibited from continuing their work owing to risks in the working environment, may be able to receive pregnancy benefit for a longer period.

Temporary parental benefit

308. Temporary parental benefit may be paid for a child who is ill or contagious if the parent needs to be off work to look after the child. Parents can use the temporary parental benefit to care for a child until the child attains the age of twelve and sometimes for longer. This benefit is related to income. Temporary parental benefit can be paid for a total of 120 days per child and year. There is also a partial benefit within temporary parental benefit that can be paid to the father in conjunction with the birth of a child. A father who is off work in conjunction with the birth of a child can receive benefits for a total of ten days. These ten days are in addition to the parental benefit compensation referred to above. Adoptive parents are granted five days each.

309. From 1 January 2010 it is possible for another person to receive temporary parental benefit in order to look after a child if a parent with sole custody cannot take care of the child owing to their own sickness. In that case, the parent must be away from work and the child must be under the age of three.

310. From 1 January 2011, a parent whose child (under the age of 18) dies will receive ten days of temporary parental benefit.

Equality bonus

311. An equality bonus was introduced on 1 January 2009 aimed at improving the preconditions for gender equality in respect of both parental leave and participation in working life. This bonus was simplified from 1 January 2012 and is paid in conjunction with the withdrawal of parental benefit. A credit had previously been made within the tax

system instead. Parents with joint custody who share parental benefit days equally will receive a maximum bonus of SEK 13,500. Not all parental benefit days afford a right to the equality bonus. A bonus cannot be based on days when parents are at home at the same time for the same child, minimum level days and the first 60 days at sickness benefit level that cannot be waived in favour of the other parent. The parents can receive the bonus for the remaining 270 days provided they share these days.

Other financial support

312. In addition to the above-mentioned, financial support is provided for families with children in the form of child allowance and also in the form of means-tested support such as housing allowance, maintenance support and childcare allowance for disabled children, when applicable. See also under Article 9 (Family benefits).

Free maternity and obstetric care

313. Pregnant women are entitled to free maternity and obstetric care. Maternity care may also include courses for prospective parents. It is possible to receive free child health care and follow ups at child health clinics following the birth of the child. Preventive initiatives offered by the child health care service are to support parents in respect of their child's physical, mental and social development. Parents can obtain advice and support relating to breastfeeding and breastfeeding problems, food, sleep and other matters relating to the child's health. These initiatives are also to support new parents. Children are also entitled to free vaccinations within the national vaccination programme.

Guideline 37 – Measures to improve protection and support for children and young people

Strategy to strengthen the rights of the child in Sweden

314. The Government has taken several measures that aim to combat violence and other child abuse. Among other things, the Government has decided on a strategy to strengthen the rights of the child in Sweden. This strategy is based on the human rights that every child up to the age of 18 is to be ensured under international agreements, in particular the commitments arising from the United Nations Convention on the Rights of the Child. The strategy is directed at all public sector actors at both central and local government level in their activities to safeguard the rights of the child, i.e. the Riksdag, Government, government authorities, county councils and municipalities. The strategy includes nine principles that express the fundamental preconditions for strengthening the rights of the child.

315. One of these principles is that the physical and mental integrity of the child is to be respected in all circumstances. The Ombudsman for Children in Sweden has on the remit of the Government ascertained the views and experiences of children and young people in various situations, for example, children and young people who have been subjected to violence and other abuse and also those living with protected personal data. The purpose of the mandate was to methodically examine and compile data on the way in which children and young people, who have been subjected to violence and other abuse in different contexts or who live with protected personal data, perceive their situation and the support they receive.

Mandates for the National Board of Health and Welfare

316. Furthermore, the National Board of Health and Welfare has on the instruction of the Government surveyed activities having knowledge of violence against children, including sexual abuse and the sexual exploitation of children and also children who witness

violence, together with any needs to increase knowledge. A proposal for national coordination was submitted to the Government in June 2012. This proposal is being dealt with by the Government Offices.

317. The Government has also instructed the National Board of Health and Welfare to lead and, together with the Swedish Association of Local Authorities and Regions (SKL) and the Swedish National Institute of Public Health, coordinate a long-term national initiative to develop and strengthen support for children growing up in families with substance abuse problems, mental illness, mental disability or violence. This initiative covers the entire term of office of the Government up to and including 2014, and the Government has appropriated a total of SEK 47 million for this work.

318. In addition to this, the National Board of Health and Welfare has been instructed by the Government to produce training material (2011) as support for staff working within social services and other actors working with adults and children who are the victims of human trafficking for sexual purposes.

Amendments to the Social Services Act, etc.

319. New provisions in the Social Services Act (2001:453) entered into force on 1 January 2013: *Stärkt stöd och skydd och stöd för barn och unga* [Stronger support and protection for children and young people] (Government Bill 2012/13:10). The purpose of these provisions is to improve protection and support for children and young people who are suffering neglect or abuse or are at risk of suffering neglect or abuse. This means, among other things, strengthening the child rights perspective and also that the social welfare committee is to ensure that procedures are in place to prevent, identify and take action in respect of risks, shortcomings and unsatisfactory conditions.

320. The Government has also appointed an Inquiry Chair to review the provisions of the Care of Young Persons (Special Provisions) Act (1990:52) (abbreviated as LVU). The Chair will also analyse the need for changes to and clarifications of the rules and regulations. Some issues affecting the Social Services Act also form part of this mandate. The purpose of the Inquiry is to further strengthen the child rights perspective and legal security for children and young people taken into compulsory care under LVU and help to develop quality within social care for children and young people, including a particular focus on compulsory care. A report on the mandate will be provided on 3 March 2013.

Child pornography offences

321. Amendments to the offence of child pornography were implemented in 2010 and 2011. The statutory amendments involve the introduction of a new punishable form of possession of pornographic pictures of children. The new form of possession comprises someone viewing a child pornography picture to which he or she has gained access. Furthermore, a clarification has been made of the circumstances that could involve a child pornography offence being considered to be a grave offence. Amendments were also made to the rules on Swedish jurisdiction and the statutory limitation period for prosecutions in relation to child pornography offences.

322. The requirement of dual criminality was abolished for a normal degree of offence that comprises depictions of children in pornographic pictures and for all forms of grave child pornography offence. These amendments also mean that the statutory limitation period for prosecutions is to be counted from the day on which the aggrieved party attains, or would have attained, 18 if the offence is grave or of a normal degree and refers to depictions of children in pornographic pictures. Furthermore, the punishable area was extended for the form of child pornography offence that comprises the depiction of children

in pornographic pictures. This form of act thereby encompasses all cases of the depiction of children under the age of 18 whose pubertal development is complete.

European Union Directive on combating the sexual abuse and sexual exploitation of children and child pornography

323. Directive 2011/93/EU of the European Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child pornography and replacing Council Framework Decision 2004/68/JHA was adopted within the European Union in November 2011. The purpose of the Directive is to establish minimum rules for the definition of criminal offences and sanctions within the area of sexual abuse and sexual exploitation of children and child pornography. It also aims to strengthen measures to prevent such crimes and improve protection for victims of these crimes.

324. A referral with proposed statutory amendments constituting a step in the implementation of this Directive was submitted to the Council on Legislation in May 2013. The Government makes the following proposals in the proposal referred to the Council on Legislation for consideration: first an extension of the statutory limitation period for some sexual offences against children; and second the introduction of new legislation concerning register checks for people who are to work with children. It is proposed that these statutory amendments enter into force on 18 December 2013.

Seeking contact with a child for sexual purposes (grooming)

325. A new crime of contacting a child for sexual purposes was incorporated into the Penal Code on 1 July 2009 (Chapter 6, Section 10 a). This penal provision is directed at contacts with children, for example via the Internet, where there is a risk of this leading to sexual abuse at a meeting with the child. According to this penal provision, a person who, with a view to committing a sexual offence against a child under the age of 15, agrees with the child to meet and subsequently does something concrete to encourage the meeting taking place, may be sentenced for this offence. Such a measure may, for example, comprise booking a hotel room or in subsequent contacts pressurising the child to keep to the agreement to come to the meeting place. The Swedish National Council for Crime Prevention (Brå) has been instructed to follow up and evaluate the application of the penal provision on contacting a child for sexual purposes. A report on the mandate is to be delivered in June 2013.

Extended statutory limitation period for female genital mutilation

326. A revision of the statute of limitation rules was made on 1 July 2010, whereby the statutory limitation period for female genital mutilation and attempted female genital mutilation that is committed against a child begins to run on the day the child turns, or would have turned, 18 (Chapter 35, Section 4 of the Penal Code). This consequently increases the opportunity to prosecute for female genital mutilation. Reasons for the amendment were, among other things, that female genital mutilation is an offence that is often discovered or only reported when the child attains a certain age and maturity.

Guideline 38 – Legislation and mechanisms to protect the rights of older persons

Duty of notification in conjunction with the risk of shortcomings and unsatisfactory situations

327. The provision contained in Chapter 14, Section 2 of the Social Services Act (SoL) and Section 24 of the Act concerning Support and Services for Persons with Certain Functional Impairments ("Lex Sarah") was extended on 1 July 2011 to cover the social services in general. As previously, the provision applies to both municipal operations and to

operations conducted under private auspices. It is stated in SoL that everyone performing tasks under these Acts are under a duty to assist in ensuring that the activity being undertaken and the measures performed are of good quality.

328. All shortcomings and unsatisfactory situations or manifest risks of shortcomings and unsatisfactory situations must be reported to the relevant social welfare committee or to the person running the private operation. The shortcomings and unsatisfactory situations must be remedied or eliminated without delay. This shall be done within the framework of the systematic quality work that all responsible authorities and private operations must conduct.

329. The duty of notification under Lex Sarah arises when shortcomings and unsatisfactory situations or a manifest risk of shortcomings and unsatisfactory situations are considered to be serious. All such serious shortcomings and unsatisfactory situations must be notified to the National Board of Health and Welfare immediately, regardless of whether or not they have already been remedied. Lex Sarah reports shall be made by the social welfare committee or the person running the private professional operation. According to the new provision, any individual in a professionally run private operation who receives a report about shortcomings and unsatisfactory situations, or makes a Lex Sarah report about serious shortcomings and unsatisfactory situations, must inform the relevant social welfare committee about the matter.

330. The National Board of Health and Welfare has published regulations (SOSFS 2011:5) and general advice as support for the application of the new Lex Sarah provision. These entered into force on 1 July 2011. Further information about Lex Sarah can be found on the National Board of Health and Welfare's website. The National Board of Health and Welfare has published a manual about Lex Sarah in social services. A vital link is made in this respect to the National Board of Health and Welfare's administrative provisions (SOSFS 2011:9) and general advice on management systems for systematic quality work within health, medical and social services.

Measures to combat violence against elderly women

331. The Government has appropriated substantial resources for various measures to achieve the sub-objectives of the Gender Equality Policy. Just over SEK 1 billion of the special gender-equality appropriation has been distributed for the period 2007 to 2014 to combat men's violence against women. Three action plans have been produced, including initiatives within several different policy areas. The Government appointed a National Coordinator during the spring of 2012 to combat violence in close relationships. This mandate also includes vulnerable groups, e.g. elderly women and men. The Government's work to combat violence against women has highlighted elderly women as a particularly vulnerable group.

332. The Government has appropriated special development funds of SEK 109 million annually since 2007 to develop the work of social services relating to women subjected to violence. Elderly women were shown to be particularly vulnerable within the framework of this work. The National Board of Health and Welfare has produced knowledge support, among other things, general advice for the work of the social welfare committee involving women subjected to violence and children who witness violence (SOSFS 2009:22), which also encompasses elderly women. The municipalities are recommended, among other things, to produce action plans in this area. The National Board of Health and Welfare is also producing training material with a particular focus on elderly women.

Guideline 39 – Asylum seekers in Sweden

333. People who have applied for asylum in Sweden will be registered at one of the Swedish Migration Board's Reception Units during the period when their application is being processed and can receive help with, among other things, housing and maintenance.

334. The Swedish Migration Board offers temporary accommodation for asylum seekers. This accommodation comprises either apartments in ordinary residential areas or different kinds of accommodation centre. Asylum seekers who have financial resources or are working must pay for this accommodation; otherwise, the accommodation provided by the Migration Board is free. Single people have to share rooms; families may have their own room, but may need to share the apartment with other people. Asylum seekers may decide to arrange their own accommodation, for example with relatives or friends, but in that case will not receive any compensation for accommodation expenses.

335. Asylum seekers who are not working or do not have their own financial resources can apply for a daily allowance. The amount of the allowance will vary depending on whether food is included in the accommodation. Besides food, this allowance must cover clothing and shoes, medical treatment and medicine, dental care, hygiene products and other consumables as well as leisure activities. People with special needs may apply for a special allowance, e.g. for winter clothing, glasses, etc.

336. Asylum seekers in Sweden can get a certificate that excludes them from the requirement for a work permit. This option does not apply to asylum seekers who do not assist in establishing their identity, nor to people who are to have their asylum applications considered in another European country or whose applications are manifestly unfounded. An exclusion from the requirement for a work permit normally applies until the asylum seeker receives a residence permit or leaves Sweden.

The right of asylum seekers to health and medical services

337. Children and young people under the age of 18 who are seeking asylum are entitled to the same health, medical and dental care as children resident in Sweden. Adults who are seeking asylum are offered a free medical examination. They are entitled to emergency medical and dental care, care that cannot be postponed, obstetric care, maternity care and also care under the Swedish Communicable Diseases Act. The county councils make decisions about such care.

Right to schooling

338. Children and young people who are seeking asylum have the same rights to attend pre-school, pre-school classes, compulsory school and upper secondary school as other children who are resident in Sweden. The right to education at upper secondary school applies if the studies start before the child attains the age of 18.

Fundamental principle of reuniting families

339. A fundamental principle within Swedish migration law is to reunite families, which is largely expressed through the provisions of the Aliens Act (2005:716) concerning residence permits on grounds of family ties. The principle of family reunification is based on international and community law. The European Union Directive on the right to family reunification (Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, "the Family Reunification Directive") forms the basis of the current regulations contained in the Aliens Act relating to residence permits on grounds of family ties.

340. It is stated in Chapter 5, Section 3 of the Aliens Act (UtlL) that a residence permit shall be given to a spouse or cohabiting partner and unmarried child of someone who is resident in or has been granted a residence permit to settle in Sweden ("sponsor"). This provision also affords a right to a residence permit for an alien who is the parent of an unaccompanied child who is a refugee or a person otherwise in need of protection. These people are thus entitled to be granted a residence permit provided there are no special grounds against granting a permit under Chapter 5, Sections 17-17b of UtlL). Examples of such special grounds are that the applicant constitutes a threat to public order and security or that incorrect information has knowingly been supplied that is of importance for obtaining the residence permit.

341. Chapter 5, Section 3a of UtlL contains further provisions concerning residence permits on grounds of ties. These provisions are not based on the Family Reunification Directive and — in contrast to the provisions contained in Chapter 5, Section 3 of UtlL — nor do they constitute a right, but instead an opportunity to be granted a residence permit. Applicants may be granted a residence permit if they intend to marry or enter into a cohabitee relationship.

342. A residence permit may also be given to an applicant who in some other way is a close relative of a sponsor provided they have been a member of the same household and there is a special relationship of dependence between them that already existed in their country of origin. Furthermore, an alien who is to exercise access rights that are not of limited scope in respect of a child who is resident in Sweden shall be granted a residence permit provided the alien is the custodian or has been granted a right of access to the child. Where there are exceptional grounds, a residence permit may be granted to an alien who has been adopted in Sweden as an adult, a relative of an alien who is a refugee or a person otherwise in need of protection, or to an alien who has some other special tie with Sweden.

343. Since 2010, the Aliens Act has included a financial support requirement as a condition for the immigration of close relatives. These provisions are contained in Chapter 5, Sections 3b to 3ee. According to the main rule, a residence permit on the grounds of a tie to a person may only be granted if the person with whom the alien claims a tie satisfies certain criteria: they should be able to support themselves and have housing of a sufficient size and standard for themselves and the alien.

344. However, there are a number of exclusions from the financial support requirement. The requirement does not apply if the person, with whom the alien claims a tie, is a child, citizen of Sweden, other EEA State or Switzerland, an alien who has been granted a residence permit as a refugee or is declared to be a refugee, an alien who has been received in Sweden within the framework of a decision issued by the Government concerning the transfer of persons in need of protection to Sweden ("resettlement"), an alien who has been granted a residence permit as a person eligible for subsidiary protection or who has been declared to be a person eligible for subsidiary protection or an alien who has a permanent residence permit and who has stayed in Sweden for at least four years with a residence permit to settle.

345. Furthermore, the financial support requirement does not apply if the applicant is a child and the person with whom the child claims a tie is the child's parent. Nor does this requirement apply if the child's other parent applies for a residence permit together with the child. Finally, exclusions from the financial support requirement may be permitted, entirely or in part, if there are special grounds to do so.

Guideline 40 and Recommendation 21 – Legislation on domestic violence

Violence in close relationships

346. Violence is violence, regardless of whether it takes place at home or in a public place. The provisions of the Penal Code (e.g. concerning assault and sexual offences) also apply to offences that take place at home. There is no specific regulation for a rape that takes place within a marriage. The fact that the offence has occurred within a close relationship is a factor that may suggest a more stringent assessment than would otherwise be the case when determining penalties. A special ground for imposing more stringent penalties was also introduced on 1 July 2003, according to which it should be seen as an aggravating circumstance when assessing penal value that an offence was likely to impair the security and trust of a child in the child's relationship with a closely related person.

347. In addition to this there are the specific kinds of offence of *grave violation of integrity and grave violation of a woman's integrity* (Penal Code, Chapter 4, Section 4a). The purpose of introducing these offences is to draw further attention to the gravity of repeated criminal acts directed at people in close relationships and that are characterised by being likely together to violate the vulnerable person. A more stringent range of punishment becomes applicable by designating these acts — which may constitute, for example, violence offences, offences of violating integrity peace and sexual offences — as violation of integrity offences. It should be noted that these provisions apply not only between spouses, cohabitees or partners, but also, for example, in respect of parents' violence against children or adult children's violence against parents in a close relationship.

348. Violation of integrity offences have recently been the subject of an evaluation. The Inquiry found that the aim of the objective with the introduction of the violation of integrity offence had largely been achieved and that there had been a general increase in the penal value for repeated criminality in close relationships. The Riksdag adopted the Government's proposal in May 2013 that further types of crime should constitute violation of integrity offences and that the minimum penalty should be increased. The purpose of these amendments, which enter into force on 1 July 2013, is to further reinforce penal law protection against repeated violations of closely related persons.

349. See Article 3 for further information about the work to prevent and combat violence in close relationships and the Government's action plan.

Prosecutions for offences in close relationships

350. Violence in close relationships is a prioritised area of crime within the Swedish Prosecution Authority. The authority conducts active development work to improve the quality of case processing, among other things by developing working methods in this field. Prosecutors have an "absolute duty to prosecute" within this area of crime. This means that prosecutors are obliged to institute a prosecution if they consider there to be sufficient evidence to prove that a crime has been committed and that a certain person has committed it.

Swedish Prison and Probation Service

351. The Government has provided the Swedish Prison and Probation Service with further resources for investment over a period of several years with the aim of further strengthening the initiatives targeting the group referred to as "violent men". These measures are targeted at various groups of people who have been convicted of violence, including those sentenced for sexual offences and those sentenced for violence in close relationships.

Criminal injuries compensation

352. The Government has prioritised the work to strengthen the rights of crime victims. A person who has been subjected to a crime may be entitled to criminal injuries compensation from the Government if the perpetrator is unknown or cannot pay or if insurance compensation does not cover the injury. Compensation may also be payable to a child who has witnessed a crime which was likely to impair the security and trust of a child in their relationship with a closely related person. The Government has mandated an Inquiry Chair to review the Criminal Injuries Act to investigate what further improvements could be made to the criminal injuries compensation system. The Inquiry's proposals are currently being dealt with by the Government Offices.

The work of social services

353. Extensive development work has been conducted in recent years to improve the quality of the work of social services relating to support and assistance for victims of violence by closely related persons, with a particular focus on women and children subjected to violence. The National Board of Health and Welfare has produced various forms of knowledge support, e.g. general advice and a manual. The National Board of Health and Welfare has also produced training material for staff within social services and other actors working to support victims of violence perpetrated by closely related persons. This training material specifically targets vulnerable groups of women, e.g. women with substance abuse problems and women with disabilities.

Stalking

354. Amendments to the Non-Contact Order Act (a "non-contact order" was formerly referred to as a "restraining order") entered into force in October 2011. The purpose of the amendments is to improve the situation for people who have been subjected to or are at risk of being subjected to violence, threats or harassment, often on repeated occasions ("stalking"). It should be possible to monitor certain non-contact orders electronically with a view to strengthening the effectiveness of the protection. Furthermore, a new offence ("unlawful persecution") was introduced, aimed at strengthening penal law protection against harassment and persecution.

Statistics on violence in close relationships between spouses, cohabitees and partners

355. Sweden's official criminal statistics are published annually by the Swedish National Council for Crime Prevention. The official criminal statistics on violence in close relationships between spouses, cohabitees or partners include data about assault in close relationships and about grave violation of a woman's integrity. There is no data about the relationship between the perpetrator and the aggrieved party for other offences, such as sexual offences and unlawful threats.

356. 12,903 offences were reported in 2012 relating to assault in close relationships where the victim was a woman aged 18 or older, and 3,430 offences relating to assault in close relationships where the victim was a man aged 18 or older. A total of 2,469 offences were reported in the same year for grave violation of a woman's integrity.

357. 2,623 offences relating to assault against women in close relationships were personally cleared up in 2012 as well as 500 offences relating to grave violation of a woman's integrity. An offence being "personally cleared up" means that a prosecution has been instituted, a summary penalty order issued or a waiver of prosecution notified. More than 95 per cent of the offences in question resulted in a prosecution.

358. Statistics on the number of prosecution decisions and sanctions do not include any data about the gender of the aggrieved party or the relationship between the aggrieved party

and perpetrator. There is therefore no data on the number of prosecutions relating to assault in close relationships. The number of prosecution decisions where the main offence was grave violation of a woman's integrity amounted to 221 in 2012. The sanction was imprisonment in 157 of these prosecution decisions. The next most common sanction was probation, which was imposed in 51 of these cases.

359. 1,906 offences of grave violation of integrity were reported in 2012 (of which 1,480 were against children under the age of 18) and 403 offences were personally cleared up (of which 319 were against children under the age of 18). The number of prosecution decisions where the main offence was grave violation of integrity amounted to 128 in 2012. The sanction was imprisonment in 81 of these prosecution decisions. The next most common sanction was probation, which was imposed in 26 of these cases.

360. Most of the violence perpetrated in close relationships never comes to the knowledge of the authorities or the rest of society. Report statistics therefore cannot be used to assess the prevalence of this or other criminality. Surveys are required for such assessments, for example the Swedish Crime Survey (SCS), which is conducted annually by the Swedish National Council for Crime Prevention.

361. In SCS more than 13,000 people answer questions about their exposure to crime. As regards violence in close relationships, the latest SCS indicated that 1.1 per cent of women and 0.1 per cent of men were subjected to assault, threats or a sexual offence by a partner or former partner in 2011. The proportion subjected to assault was 0.4 per cent of women and 0.03 per cent of men.

Special mandate for the Swedish National Council for Crime Prevention

362. SCS is not specifically adapted to pick up on violence in close relationships. For this reason, there is probably a gross underestimation in the estimates of such criminality. The Swedish National Council for Crime Prevention has been mandated to conduct an in-depth national survey in order to get a better picture of the scope and nature of the problem and will thereby be better placed to tailor future measures at a later date. A report on this mandate is to be delivered by 15 May 2014.

The Sexual Offences Reform

363. Sex offence legislation in Sweden underwent extensive changes in 2005. Among other things, the provision on rape was extended in several respects by setting a lower requisite in respect of violence and threat and also by incorporating the most serious cases of sexual exploitation into the provision. Furthermore, protection for children and young people against being exploited in sexual contexts was strengthened and special penal provisions relating to, among other things, rape of a child and sexual abuse of a child were introduced to specifically emphasise the gravity of sexual offences directed at children.

364. The Sexual Offences Inquiry of 2008 evaluated the application of the 2005 Sexual Offences Reform. The assessment of the Inquiry is that the reform has largely resulted in the strengthening and clarification of protection against sexual offences and improvements to the protection for children.

365. The Riksdag adopted a proposal from the Government in May 2013 for certain amendments to sexual offences legislation (Government Bill 2012/13:111) in order to further strengthen protection for sexual integrity and sexual self-determination. This means that the legislation will be both extended and tightened up.

366. One important change is that the provision on rape is being extended by replacing the term "helpless state" with the wider term "particularly vulnerable situation". This means that more cases of sexual exploitation will be criminalised as rape. Furthermore, the

illustrative list of rape offences has been supplemented with the term "serious fear". This thus makes it even clearer that situations where a victim confronts an assault with passivity are also covered by the offence of rape.

367. The scope of grave sexual abuse of a child is also being extended. Consequently, further serious sexual abuses of children will be considered as grave offences. At the same time, the minimum penalty for the same offence is increased from imprisonment for six months to imprisonment for one year. The purpose is to give courts greater scope to assess serious sexual abuses of children as grave offences and also to mete out heavier penalties.

368. Another important change is the abolishment of the dual criminality requirement for further sexual offences against children. Furthermore, the statutory limitation period for another offence (exploitation of a child for sexual posing) is extended through it starting to run on the day the child turns, or would have turned, 18.

369. These statutory amendments enter into force on 1 July 2013. Furthermore, the Riksdag has approved Sweden's accession to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse ("the Lanzarote Convention").

Mandates of the Crime Victim Compensation and Support Authority

370. The Crime Victim Compensation and Support Authority has been instructed to, in collaboration with the Ombudsman for Children in Sweden, produce or adapt information about protection and support directly targeted at children and young people as victims of crime. A final report on this mandate is to be delivered to the Government Offices by 16 June 2014. An interim report, including a plan for how the work is to be conducted, is to be delivered to the Government Offices by 24 June 2013.

371. The Crime Victim Compensation and Support Authority has been instructed to further develop and implement a training programme to improve the treatment of victims of sexual crime in conjunction with police reports, preliminary investigations and trials. This training programme is directed at staff within the county police authorities, the Swedish Prosecution Authority, the Swedish courts and attorneys. A report on this mandate is to be completed and delivered by 15 June 2014.

372. The Crime Victim Compensation and Support Authority has been mandated to carry out training to ensure that children who have witnessed violence and other abuse in close relationships are made more visible. A report on this mandate is to be completed and delivered by 30 December 2013.

373. The Crime Victim Compensation and Support Authority has been instructed to distribute funds to research, method development and similar initiatives aimed at gaining more knowledge about men's violence against women, including sexual violence and other sexual abuse. The mandate also includes following up projects granted special research funding under Government decision Ju2008/8341/KRIM and also to report and disseminate findings. A report on this mandate is to be completed and delivered by 15 December 2014.

Guideline 41 – Legislation on human trafficking

374. A statutory amendment in 2004 extended protection against human trafficking by widening the provision on human trafficking for sexual purposes to cover human trafficking that is not cross-border and also human trafficking for the purpose of forms of exploitation other than sexual exploitation, e.g. forced labour. As a consequence of this, the offence title was amended to human trafficking. Furthermore, attempts, preparations and conspiracy to commit human trafficking were criminalised, and similarly the failure to reveal such offences.

375. A further amendment to the provision on human trafficking was made in 2010. The amendment related to establishing a clearer and more appropriate description of the offence with a view to strengthening penal law protection against human trafficking. These amendments involve, among other things, the removal of the requirement for the perpetrator to assume control of the victim in the course of business or otherwise for the purpose of gain (the "control requirement"). Furthermore, the dual criminality requirement was also removed so that Swedish courts have jurisdiction over human trafficking offences committed abroad. At the same time as amending the human trafficking offence, the Riksdag also approved the Council of Europe Convention on Action against Trafficking in Human Beings in 2010 (CETS 197). (see Recommendation 32 in the Committee's concluding observations).

376. An evaluation of the prohibition of the purchase of sexual services covering the period 1998 to 2008 was presented in 2010. According to the evaluation, the prohibition constitutes an important instrument in preventing and combating prostitution and human trafficking for sexual purposes. The maximum penalty for the purchase of sexual services was raised in 2011. The purpose of this increase was to create further scope for a more nuanced assessment of the penal value in serious cases of purchase of sexual services.

377. The Human Trafficking Directive (Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA) contains provisions concerning, among other things, extending the criminalisation of human trafficking, more stringent minimum levels for maximum penalties together with assistance, support and protection for victims of crime. Sweden has taken the measures required to comply with the Directive.

Human trafficking statistics

378. Sixty-nine offences of human trafficking were reported in 2012 (of which 22 were against children under the age of 18) and 15 offences were personally cleared up (of which one was against children under the age of 18). The number of prosecution decisions where the main offence was human trafficking amounted to nine in 2012. Imprisonment was the sanction for all cases.

Recommendation 33

379. The Swedish Migration Board assists all asylum seekers who have been issued with a decision on removal and who are returning voluntarily. The Board help them with the planning required to prepare for their journey home and bears all of their travel expenses. 11,500 people returned of their own volition in 2010, 10,700 people in 2011 and 13,000 people in 2012. Since 2007 there has been an opportunity for asylum seekers to be granted reestablishment support if they are returning of their own volition to countries where there are limited prospects of reintegration. Around 6,000 people have been granted this support so far (up to and including April 2013). This grant amounts to SEK 30,000 per adult, SEK 15,000 per child, with a maximum amount of SEK 75,000 (approximately USD 11,000) per family.

380. The police are responsible for enforcing decisions on removal in those cases where such decisions must be enforced by compulsion. As with the system for return on one's own volition, the police assist with the support required by the people returning and also cover all travel expenses.

381. Additional information concerning the return procedure and the support available can be found via the following links: http://www.migrationsverket.se/info/1132_en.html, http://www.migrationsverket.se/info/515_en.html.

Article 11 – Right to an adequate standard of living

Guideline 42 – Social protection and poverty

382. Although no official poverty threshold has been defined, the term "reasonable standard of living" is often used in the Social Services Act as such a measure, although this only refers to a reasonable standard of living for short periods. The Social Services Act ensures the right of everyone living in a municipality to financial assistance to assure individuals a reasonable standard of living. Entitlement to assistance is based on an individual assessment of personal needs, which takes into account both the income and expenses of the individual and household. The number of people receiving financial assistance thus comprises a measure of the number of people in a financially vulnerable situation. The number of people receiving financial assistance is continuously monitored and reported in, for instance, the Government's annual Budget Bill.

383. Poverty, the risk of poverty and the composition and structure of poverty is monitored continuously within different policy areas, e.g. child policy, financial family policy, public health policy and in the Government's Budget Bill. In addition to this, Sweden participates in European Union cooperation within the social area, which continuously monitors, among other things, poverty and social exclusion.

384. A number of different measures are used to assess poverty and economic vulnerability, including:

- The relative (risk of) poverty threshold – estimated as 60 per cent of median equivalised disposable income including long-term relative risk of poverty, i.e. at a relative risk of poverty over a number of years;
- The absolute low income threshold – calculated as 60 per cent of price-adjusted median equivalised disposable income for 1991;
- Low material standard – defined as the individual lacking capacity (not due to their individual choice of lifestyle) within at least four out of nine areas: to meet unexpected expenses, to take one week's holiday, to pay debts (e.g. mortgage or rent), to eat one meal with meat, chicken or fish every other day, to adequately heat their home, to have a washing machine, to have a colour television, to have a telephone and to own a vehicle. Variants of these are used nationally and internationally;
- The proportion of households receiving financial assistance, including those receiving financial assistance over a number of years; and
- Income analyses in deciles/quintiles, measured as distribution of income.

Guideline 43 – The welfare system

385. The Swedish welfare system covers the entire population and aims to create equal opportunities for everyone and create equality between women and men. It encompasses health and medical services, social care and economic security in the case of sickness, disability and old age. A general system redistributes and evens out financial resources and living conditions between people and across different phases of life. The objectives of the Government – to achieve ambitious distribution targets and have a properly functioning welfare system that is available for everyone – mean that it is also important to protect and develop the public welfare system. The ambition is to minimise the risk of people getting stuck in permanent poverty traps without the prospect of becoming self-sufficient.

386. The Government has been mandated by the Riksdag since 1994 to provide an annual distribution policy report in conjunction with the Spring Fiscal Policy Bill or the Budget

Bill. This should evaluate, among other things, the extent to which the policy being pursued helps to align living standards in the short and long term. The objective of the distribution policy, which forms part of the Fiscal Policy, is that everyone should have a share of the growth and welfare generated.

Guidelines 44 and 46 – Secure food supply

387. Under the Social Services Act, people who are unable to provide for their needs or obtain provision for them in any other way are entitled to assistance, e.g. towards their livelihood (subsistence allowance). Part of the subsistence allowance comprises the "national norm", which is the amount required to cover the cost of, among other things, food. The national norm is calculated on the basis of the Swedish Consumer Agency's calculations of a reasonable standard of living. The products included being of a reasonable standard, safe and, if possible, environmentally friendly is taken into account.

388. One important point of departure for European Union common food legislation is that food should be safe for the consumer, which means that food placed on the market must comply with the requirements imposed by legislation. The National Food Agency is the central administrative authority for food issues in Sweden. The National Food Agency has also been mandated to assume responsibility for national coordination in respect of crisis and contingency planning for the supply of food downstream of primary production.

389. Refer to Chapter 10, Section 10 of the Education Act (2010:800) in respect of school meals, which stipulates that education shall be free. Pupils shall have access without charge to books and such other learning tools as are needed for a modern education and shall also be offered free nutritional school meals. The National Food Agency provides advice about school meals, including meals for pupils with special dietary needs. The provisions of the Act state, among other things, that the school should also consider the requirements that religions impose on meals and food as far as possible (http://www.slv.se/sv/grupp1/Mat-och-naring/Maltider-i-vard-skola-omsorg/Skolmaltider/Maltider-till-elever-med-behov-av-specialkost/).

390. As regards other considerations in respect of access to food for minorities, the Animal Welfare Act contains a provision (Section 20) governing slaughtering with regard to religious aspects, such as Halal and Kosher.

Guideline 45 – Nutrition

391. The National Food Agency is the authority responsible for nutrition, which actively works in the interests of consumers to ensure safe food and fair practices in food handling, healthy eating habits and also coordinates information provided by government authorities about healthy eating habits. The National Food Agency is, among other things, responsible for conducting investigations of food and eating habits and also conducts analyses, develops methods and conducts investigations into food and eating habits, informs consumers, undertakings and other interested parties in the food supply chain about applicable rules and regulations, dietary advice and other important factors within the area of food. The authority provides dietary advice for infants, children between the ages of one and two, children over the age of two, elderly people and pregnant and breastfeeding women. The National Food Agency also provides dietary advice in respect of meals within the care services and schools. The authority has also been mandated by the Government to establish a national centre of excellence for meals in the public sector.

392. The Swedish Nutrition Recommendations (SNR) were produced in 2005. They state that an average person requires energy and nutrients for growth and life functions. SNR aims to provide nutritional guidelines for a diet that, as far as is currently known, constitutes a basis for general good health. The criteria for establishing the

recommendations are defined for each individual nutrient on the basis of the scientific information available. These criteria must be kept up-to-date, revised and potentially extended where required owing to new knowledge. SNR should therefore not be viewed as being definitive documents, but must be revised when new information becomes available.

393. Sweden also cooperates within the Nordic Council of Ministers on recommendations for nutritious food and daily physical activity in the Nordic countries. The Nordic Nutrition Recommendations are currently being reviewed. A Nordic working group has been mandated by the Nordic Council of Ministers to review the current scientific situation and link between diet and different illnesses. The purpose is to update the fourth edition of the Nordic Nutrition Recommendations, which were issued in 2004.

394. A draft proposal for new Nordic Nutrition Recommendations was presented in June 2012. The first part of the new Nordic Nutrition Recommendations was published for open consultation at the end of October 2012. Further proposals for recommendations were circulated for views during the spring. The new recommendations will be launched during the autumn of 2013. Work has primarily focussed on reviewing those areas where there are new scientific findings. These include fat and carbohydrate quality, protein, alcohol, vitamin D, calcium, folic acid, iodine, iron and food-based dietary advice and meal patterns. The review includes the nutritional needs of specific groups (for example, children, elderly people, people who are overweight) together with the need for new areas, for example, alternative diets.

Guideline 47 – Right to adequate food

395. As regards the right to food, the Swedish view is that the international community, and consequently Sweden as well, has a major supporting role to play in realising human rights worldwide, including the right to food. At the same time, there should always be an emphasis on the national responsibility to respect, protect and fulfil human rights. The European Union and its Member States must increase their efforts — both jointly and individually — to create a world without hunger and poverty. The Government considers that the Voluntary Guidelines on the right to food are important. In the opinion of Sweden, FAO's ongoing work in respect of the right to food should continue as part of its normal activities.

Guideline 48 – Right to water

396. Adequate and affordable access to safe water: This is regulated by the Public Water Services Act (2006:412). The municipalities have, with the support of the county administrative boards, responsibility in respect of the overall planning for how land and water resources are to be used. The Planning and Building Act (PBL) provides frameworks for this. The municipalities' outline development plans show how future buildings, the location of operations and the development of traffic routes are planned. When making such plans the use of land for development must be considered in relation to the protection of and access to water resources.

397. Households without access to sufficient and safe water: Zero (0) per cent.

398. Measures to ensure affordable water for everyone: It is prescribed by Section 30 of the Public Water Services Act (2006:412) that the charges may not exceed the amount required to cover the necessary costs of setting up and running the water supply and the sewerage facilities.

399. Monitoring the quality of water: The National Food Agency has overall responsibility for managing and coordinating food control, including drinking water, in Sweden. Quality requirements and other rules relating to drinking water are jointly produced by the Member States within the European Union and are incorporated into

Swedish legislation by, among others, the National Food Agency. The rules of the National Food Agency apply to the large-scale provision of drinking water (for example, municipal drinking water) and to drinking water that is used in commercial and public operations (for example at schools, hospitals and food undertakings). The rules do not apply to individual wells. People who have a private well are responsible for water quality and for keeping the well in a good condition. Private wells are covered by the general guidelines of the National Board of Health and Welfare. The official monitoring of drinking water is performed locally by the municipalities and is coordinated regionally by the county administrative boards. The National Food Agency coordinates monitoring nationally, which includes, among other things, providing guidance and information.

Guideline 49 – Education on use and protection of water

400. Several organisations and authorities do this: the National Food Agency, Swedish Water and Wastewater Association, county administrative boards and municipalities, Swedish Environmental Protection Agency, National Board of Health and Welfare.

Guideline 50 – Right to adequate housing

Homelessness and exclusion from the housing market

401. The National Board of Health and Welfare conducted a national survey ("national mapping") during a specific measurement week in 2011 concerning the extent of homelessness together with exclusion from the housing market. National surveys of homelessness in Sweden had previously been conducted in 1993, 1999 and 2005.

402. It was reported in the 2011 survey that a total of approximately 34,000 people were homeless or excluded from the regular housing market according to the definition formulated by the National Board of Health and Welfare. The National Board of Health and Welfare considers that this represents an increase since the previous survey, although it was not really possible to make direct comparisons, as the definition of "homelessness" was changed and clarified during the survey in 2011.

403. Approximately 4,500 of the people reported were in acute homelessness (of which 280 were sleeping outside or in public spaces and the remainder at shelters, emergency accommodation, women's emergency shelters, sheltered accommodation, youth hostels, hotels, camping sites and the like). 5,600 people were staying at prisons, institutions, treatment institutions or category housing, without having their own housing after discharge. 13,900 people were living in more long-term housing solutions, in most cases with sublets in apartments arranged by the municipalities' social services. 6,800 people were living in short-term accommodation that they had organised themselves – with family, relatives, friends, acquaintances or other private individuals. There is reason to believe that living conditions are crowded, particularly in the last-mentioned situation. Furthermore, the National Board of Health and Welfare is of the opinion that people in this situation are likely to be under-reported, as social services or other authorities are not informed about all of the people living in such conditions.

404. Sixty-four per cent of homeless people are men, who are thus in the majority, while 36 per cent are women. However, the proportion of women appears to be increasing. This is also the case for people born abroad. Thirty-four per cent of the total numbers of homeless people were born outside Sweden. Thirty-six per cent of the total number of people were stated to be parents of children aged 18 or under. Just under half of these were born abroad. Approximately 7,000 people were young adults, i.e. in the age group 18 to 26. Around 400 children and young people were reported as being homeless "in the grey area" between the family and community care. On the other hand, the survey does not answer the question

about the total number of children who are affected by homelessness and exclusion from the housing market.

405. Key causes of homelessness and exclusion from the housing market are substance abuse and dependence, mental illness, family conflicts, divorce, eviction, not being accepted as a tenant in the regular housing market, and also inadequate financial capacity. Only 6 per cent of these 34,000 people had some form of income from paid work. Almost half received financial assistance.

Guideline 51 – Affordable housing and tenure

406. Security of tenure for tenants is assured through the Tenancy Act governing the circumstances in which notice of termination may be given. The fundamental principle is that a tenancy agreement applies indefinitely. Contractual freedom prevails in respect of the setting of rent, but the rent may be reviewed by a Regional Rent Tribunal, which will determine whether the rent is reasonable. Rent is deemed reasonable if it does not exceed the rent for homes that are equivalent in terms of utility value ("the utility value principle") and for which the rents have been negotiated collectively. Conversely, this means that differences in rent must correspond to differences in utility value.

407. Municipalities have been able to provide a rent guarantee since 1 August 2007 for people or households that, for various reasons, find it difficult to establish themselves in the housing market. The purpose of a municipal rent guarantee is to provide support for households with the financial capacity to meet the costs of their own housing but who, despite this, have difficulty in establishing themselves in the housing market and finding rented accommodation with security of tenure. For instance such a person may have project employment instead of an indefinite-term contract and consequently be unable to get their own tenancy agreement despite having a regular income and finances to cover the rent. The municipal rent guarantee represents additional security for the landlord and can therefore help applicants to get their own tenancy agreements for a home.

408. The rent guarantee covers the rent for at least six months and applies for at least two years. Each municipality can then choose whether it wants to further extend the guarantee. Each municipality is also entitled to choose how it wants to word the guarantee commitment provided through the rent guarantee. The rent guarantee does not mean that a tenant can avoid having to pay the rent. If a call is made on the rent guarantee, the municipality is entitled to demand repayment of the debt afterwards ("right of recourse"). In other words, the individual tenant is still ultimately liable to pay. It is up to each municipality to decide how the rent guarantee can be used together with applicable repayment obligations. The municipality can apply for a government grant of SEK 5,000 for each such rent guarantee issued.

409. There is no "social housing" in Sweden; instead there are public municipal housing undertakings that have a public function in addition to having to operate on commercial principles. Rents are normally determined following negotiations between the property owner, or property owners' organisation, and the tenant association in the district. The combination of collective rent negotiations and the utility value system (see above) ensures that rents are reasonable. Households with low incomes or in a precarious financial position may receive housing allowance (see below) or subsistence allowance from the municipality. A municipality can work in partnership with not only its own housing undertaking, but also with private property owners, to get priority apartments for people or households that have special compassionate reasons for finding housing quickly on medical, social or other grounds.

410. Special housing needs: Means-tested housing allowance is available for families with children and also young people aged between 18 and 28. People drawing sickness or

activity compensation can apply for housing supplement. A person who previously received temporary sickness compensation for the maximum period can apply for housing supplement. Elderly people and people with disabilities can apply for special housing supplement. People with disabilities may be granted housing allowance or housing supplement and special housing supplement if they satisfy the conditions for any of these forms of support. This support is paid by the Government.

411. In addition, there are also municipal housing adaptation grants directed at people with disabilities, who can use these grants to make the necessary adaptations to their homes to enable them to function in their daily lives: for example, removing doorsteps, installing a shower in place of a bath or constructing a ramp to the front door.

Guideline 52 – Legislation on land for housing

412. It is stated in the Planning and Building Act (2010:900 – PBL) that "the purpose of planning and consideration in matters relating to permits or outline planning permission under this Act shall be to use land and water areas for the or those purpose(s) for which the areas are most suitable considering their nature, situation and needs. Priority shall be given to such use as benefits the efficient management of land resources from the public perspective. The provisions on land and water area management contained in Chapters 3 and 4 of the Environmental Code shall apply". (Chapter 2, Section 2 of PBL) Furthermore "In a detailed development plan, the municipality may determine that a permit for a measure that involves a significant change to the use of the land may only be granted subject to the precondition that (…) the suitability of the land for building has been ensured through land pollution having been remedied or protective or safety measures having been taken at the site." (Chapter 4, Section 4 of PBL)

413. More detailed provisions concerning remedies for land pollution can be found in the Environmental Code (1998:808).

Guidelines 53 and 54 – Evictions

414. The authority only keeps statistics on the number of eviction applications, the number of evictions made, and the number of children affected by the evictions. There is consequently no data about any particularly vulnerable groups or minorities.

415. It may be noted that the eviction process at the Swedish Enforcement Authority is a two-party process where the authority is the guarantor for legal security in the proceedings and where enforcement must be objective and impartial.

416. The Swedish Enforcement Authority enforces about 3,000 eviction cases each year. As mentioned above, the Swedish Enforcement Authority does not have any statistics on the number of people affected by evictions. The data provided below shows instead the number of eviction cases received by the authority on an annual basis since 2008 and the number of evictions enforced. This data includes evictions from both business premises and housing.

Year	*Applications*	*Enforced*	*%*
2008	9.458	3.004	31.8%
2009	9.714	3.040	31.3%
2010	9.866	3.116	31.6%
2011	9.224	2.802	30.4%
2012	8.814	2.616	29.7%

417. Tenancy relationships in Sweden are governed by Chapter 12 of the Land Code. This Code provides tenants with extensive protection. As a rule, a tenancy agreement applies for an indefinite period and must be terminated in order to cease to apply. Security of tenure applies in respect of tenancy agreements for dwelling units, which means that the tenant is entitled to prolong the tenancy agreement even if the landlord gives notice terminating it. There are exemptions from security of tenure; for example, there is no security of tenure for sub-tenants and tenants who are renting part of the landlord's own home.

418. The right to prolong the tenancy agreement is far-reaching, although there are obviously situations where the tenant is not entitled to prolong the agreement. These are situations where tenants will have neglected their obligations in relation to the landlord in one way or another by, for instance, not paying their rent on time, subletting the dwelling without the consent of the landlord or neglecting the property.

419. If landlords want to terminate a tenancy agreement, they must first notify the tenant of this. If termination is due to a delay in payment, the tenant has a certain period in which to pay and in this way recover their tenancy. If termination is due to residential disturbances, the landlord must first notify the social welfare committee.

420. Security of tenure may also be overridden if the building in question is to be demolished or if the building is to undergo major renovation work. However, tenants shall be offered an equivalent apartment in the building following rebuilding work if the tenant leaves their home owing to the building undergoing major renovation work.

421. Any disputes relating to the cessation of the agreement will be considered by the Regional Rent Tribunal as the first instance. The Regional Rent Tribunal may, for example, order tenants who neglect their obligations in relation to their landlords to vacate upon pain that they may otherwise be evicted. Tenants are entitled to appeal to a general court about decisions made by the Regional Rent Tribunal.

422. The Swedish Enforcement Authority may enforce the eviction of a tenant on behalf of a landlord in cases where the tenant does not vacate of their own accord. Enforcement cannot be effected for as long as legal proceedings are underway, but requires a decision in the matter to have entered into final legal force. In urgent cases, the tribunal or court may decide that enforcement may take place without waiting for the decision to enter into final legal force.

423. The Swedish Enforcement Authority is liable to contact the social welfare committee when the authority receives an eviction case. The social welfare committee assumes ultimate responsibility for the defendant's entitlement to housing and has various options for arranging new accommodation for the defendant.

Recommendation 22

424. The mandate for the latest survey of homelessness and exclusion from the housing market conducted by the National Board of Health and Welfare in 2011 included identifying "the extent of homeless children with families ... and also the extent of homelessness among children and young people who are outside the family for various reasons".

425. The National Board of Health and Welfare also conducted interviews with municipalities in parallel with the homelessness survey in 2011 with a view to getting a better picture of the situation as regards families with children in what is commonly referred to as the "secondary housing market", i.e. housing solutions offered by municipalities for people who cannot obtain housing themselves because they cannot get approved as tenants in the regular housing market.

426. The Government appointed a National Homeless Coordinator on 1 January 2012 whose work involves supporting municipalities in their work to combat homelessness and exclusion from the housing market. There will be a particular focus on work to prevent evictions, particularly of families with children.

427. The Swedish Enforcement Authority has been instructed by the Government to produce eviction statistics so that it is easier to discern the scope of the children affected by eviction.

Recommendation 34

428. The Government has appropriated almost SEK 5 billion for the period 2007 to 2011 as an incentive grant for municipalities and county councils to raise the quality of health and social care for elderly people within seven priority areas – rehabilitation, social content, dementia care, drug reviews, preventive activity, diet and nutrition and access to doctors. The follow-up shows that the municipalities and county councils had employed staff, including dieticians, occupational therapists and physiotherapists as well as staff within dementia care. Large groups of staff in both municipalities and county councils have received training in these areas. The National Board of Health and Welfare is to deliver a final report, including a summary statement, by 31 October 2013.

National set of values for eldercare

429. A new provision was incorporated into the Social Services Act as of 1 January 2011 (Chapter 5, Section 4) relating to a national set of values for eldercare.

430. The national set of values means that the care for elderly people provided by social services shall focus on elderly people living their lives in dignity and feeling a sense of well-being. The term "dignified life" may mean, for example, a private life and physical integrity, autonomy, participation, individualisation, high quality initiatives and good treatment of the elderly person and their relatives.

431. The Government has appropriated funds for higher education training in the national set of values for, among others, assistance officers and managers. This course will run from 2012 to 2013. There will also be an advanced course for these groups. Courses are currently being held for staff with special responsibility for issues relating to the set of values. SEK 100 million has been appropriated annually since 2011 to help municipalities to develop local dignity commitments. The National Board of Health and Welfare will report on developments annually and is to deliver a final report in 2014.

The most infirm members of the elderly population

432. The Government is investing approximately SEK 4.3 billion during the period 2011 to 2014 in measures to improve the coordination of care services for the most infirm members of the elderly population in the form of home healthcare, eldercare, primary care and hospital care. This government grant will, among other things, support municipalities and county councils and other actors in their work to develop joint, long-term and systematic improvements in care services for the most infirm members of the elderly population. Some of this investment is to increase use of data from quality registries, improve the use of medicinal products for elderly people and also improve support for pilot projects based on cohesive care services and comprehensive solutions for the most infirm members of the elderly population. This investment will be followed up and evaluated.

Act on System of Choice in the Public Sector (2008:962)

433. The Act on System of Choice in the Public Sector (2008:962 – LOV) entered into force on 1 January 2009. The aim of the reform is to increase freedom of choice for

individual users by increasing the diversity of actors as well as the diversity of supply within, among other things, eldercare and support for people with disabilities. The availability, quality and efficiency of the initiatives offered are also expected to improve by increasing the opportunities of individuals to choose a provider to perform the publicly funded service.

434. LOV enables municipalities that want to expose municipal activities to competition to transfer the choice of a provider for support, health and social services to the user. The municipalities specify in the contract tender documentation the conditions that suppliers must satisfy to become an approved provider. The municipality is the authority responsible for such functions and is responsible for services being provided to users in accordance with applicable legislation, regardless of whether the operation is being conducted under its own auspices or through a contract with an external provider. The National Board of Health and Welfare supervises both operations that social services run themselves and those run by external actors.

435. 133 municipalities out of a total of 290 had introduced systems of choice under LOV in December 2012, while 42 municipalities had made the decision to introduce a system of choice. According to the National Board of Health and Welfare, most elderly people appreciate having the opportunity to choose the provider of their home-help service. Having optiOns provides a sense of empowerment and freedom to decide. At the same time it is also important that those people who need support to make an active choice get such support.

Article 12 – Right to health

Guideline 55 – National health policy

436. Sweden has adopted a national health policy through legislation (Health and Medical Service Act (1982:763)), in which the objective for health and medical services is to assure good health and care on equal terms for the entire population. Furthermore, care is to be provided with respect for the equal dignity of all human beings and for the dignity of the individual. Priority for health and medical care shall be given to the person whose need of care is greatest. County councils are obliged to offer good health and medical services for people living within their boundaries under the Act.

Guideline 56 – Care on equal terms for the entire population

437. Accessibility: Providing care on equal terms for the entire population is among the provisions laid down by Sweden through legislation (Health and Medical Service Act). It is also stated in the Act that this care must be readily available. The Act also regulates access to rehabilitation, habilitation, preventive measures and assistive aids for people with disabilities.

438. Costs: Health and medical services in Sweden are publicly funded. Patients pay a small charge themselves, though no more than SEK 1,100 (in 2013). People who are unable to pay such a charge may be granted financial assistance for such general living expenses.

439. Drugs and medical equipment: A marketing authorisation is required to place medicinal products on the market. The Medical Products Agency or the European Medicines Agency (EMA) grants such approval for centrally authorised medicinal products (new pharmaceutical substances and also for medicinal products for certain specified illnesses).

440. A scientific assessment is made of the efficacy, safety and quality of medicinal products on approval. A continuous risk and benefit analysis is conducted throughout the entire lifecycle of medicinal products though "pharmaco-vigilance". Medicinal product

undertakings set the "best before date" on medicinal products. Older, less effective medicinal products are gradually phased out of the market in pace with new products being developed.

441. There is a CE marking requirement for medical devices to guarantee safety, which is done by a "notified body". CE marking is then a guarantee for free movement within the EU/EEA. The rules and regulations for medical devices include procedures to be taken by the Medical Products Agency in the event that any doubts arise regarding safety. The National Board of Health and Welfare may also conduct a scientific assessment relating to the use of a particular medical product.

442. Training of health personnel: Training for health and medical professionals is provided for the professions regulated under Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications.

443. Basic training for health and medical professionals is governed by law and ordinance. Physicians conduct their specialist training during their service, with certain mandatory components and courses. Specialist training for nurses comprises higher education. Continuing education for health and medical professionals is largely unregulated in Sweden; this is up to employers and employees to agree on.

444. The Swedish Government appropriated special funding for 2013 and 2014 to develop course activities for a physician's postgraduate clinical training to become a specialist, which is expected to have a positive impact on the supply of specialists. Among other things, a project has been commissioned to develop and strengthen courses for qualifying physicians as specialists in general psychiatry, as this is a speciality within which there has been a shortage of specialists for some time.

445. A Government Inquiry was instructed to review medical training. The Inquiry delivered its report *För framtidens hälsa – en ny läkarutbildning* [Promoting health in the future – new medical education] (Swedish Government Official Reports – SOU 2013:15) to the Government in the spring of 2013. Three points of interest are stated in the proposed qualification descriptor for training:

446. The student shall

- Demonstrate a knowledge and understanding of the conditions in society that affect the health of individuals and different groups from both a national and global perspective;
- Demonstrate a knowledge of health and medical care systems in Sweden, and also demonstrate an understanding of strategies for equal access to health and medical services; and
- Demonstrate the capacity for a health promotion approach, including a global approach to the patient, taking particular consideration of ethical principles and human rights.

447. The Government shall obtain the views and opinions of different actors in society before adopting a final position on the Inquiry's proposals.

Guideline 57 – Public health, sexual and reproductive health

448. Maternity care, child health care and the student health service are of great importance for preventive and health promotion work. The Government has taken several initiatives to support these activities in its work to promote good eating habits and physical activity and also to inform prospective parents about the risks of alcohol, narcotics, doping and tobacco during pregnancy.

449. Furthermore, the Government is also working to ensure that guidance, recommendations and research reviews for obstetric, neonatal, child and pupil health are drawn up, published and updated.

450. Measures within the area of sexuality and reproductive health have focussed on influencing standards and laws, values, attitudes and behaviour and also the accessibility of health and medical services. Work has started on producing a national strategy document for the area of sexual and reproductive health and rights (SRHR) with a view to strengthening cooperation within the SRHR area.

451. Water and sanitation: European Union Member States have agreed on a Directive that includes minimum requirements for the quality of drinking water (98/83/EC). The States must comply with the requirements imposed by the Directive, but may have their own more stringent national requirements. Sweden has incorporated the European Union Directive into its official provisions and introduced national rules on preventive work, for example a requirement to apply the HACCP principles to the supply of drinking water. These rules apply to, for example, municipal drinking water and to drinking water at schools, hospitals and food undertakings.

452. The official monitoring of drinking water is performed locally and regionally and is coordinated regionally by the competent authority. Water producers compile and continually evaluate changes to the quality of drinking water for users. Sweden delivers a report on the quality of drinking water to the European Commission every three years.

453. Outbreaks of water-borne disease are investigated locally and reported to the competent authority. Diseases that are passed between humans and animals are monitored both nationally and within the European Union. All Member States are required to submit data on zoonotic agents and outbreaks to the European Commission in accordance with the European Union Zoonose Directive (2003/99/EC). The European Food Safety Authority (EFSA) and the European Centre for Disease Prevention and Control (ECDC) jointly publish an annual report on the trends and sources of zoonotic agents. This report includes outbreaks of water-borne disease among humans.

454. The competent authorities in Sweden have also produced recommendations concerning the taking of special care in conjunction with the spreading of farmyard manure and welfare of grazing animals in order to prevent bathing or drinking water from being contaminated by pathogenic micro-organisms. For example, manure may not be spread less than two metres from the edge of fields bordering watercourses.

455. Health and medical services in Sweden is to be provided on equal terms for the entire population. This means that illnesses are treated within the framework of the health and medical care system regardless of whether they can be related to water or other sources.

456. The purpose of the Public Water Services Act (2006:412) is to ensure that water supply and sewerage are arranged in a wider context if necessary for the protection of human health or the environment.

457. Immunization: The Swedish child vaccination programme is offered free of charge to all children through the child health care service and schools and are required to provide protection against nine diseases: polio, diphtheria, tetanus, whooping cough, infections caused by haemophilus influenzae type B, measles, mumps and rubella and serious illnesses caused by pneumococcal disease. As part of the programme, girls have also been vaccinated against human papilloma virus (HPV) since 1 January 2010.

458. Furthermore, targeted vaccinations are given against hepatitis B and tuberculosis, which means that vaccinations are offered to children exposed to an increased risk of being infected with these diseases.

459. Vaccination coverage in Sweden is good. The proportion of pupils who were fully vaccinated against diphtheria, tetanus and polio amounted to 96 per cent in 2010/2011. Just over 95 per cent had received four doses of vaccine against whooping cough. Over 95 per cent of pupils were vaccinated with two doses of vaccine against measles, mumps and rubella.

460. Alcohol, tobacco, substance abuse: The Government appropriates approximately SEK 300 million annually as support for prevention, early intervention, care and treatment and also initiatives aimed at limiting access to alcohol, etc.

461. HIV/AIDS: The Government's initiatives are based on the National Strategy against HIV/AIDS and Certain Other Contagious Diseases (Government Bill 2005/06:60). This strategy states that the objectives of society's initiatives are to limit the spread of HIV and other STIs and to limit the consequences of these infections for society and for the individual.

462. The strategy identifies certain prevention groups that are of particular importance. These include: men who have sex with men, injecting drug users, young people and young adults, immigrants, pregnant women, people who travel abroad and people who buy and sell sex. It is important to structure and adapt prevention initiatives according to the needs of the respective prevention group. The Swedish Institute for Communicable Disease Control also produces supporting information on how prevention relating to HIV and sexually transmitted infections (STIs) should be structured for different prevention groups.

463. The proportion of people living in Sweden with HIV is increasing. One of the interim objectives of the National Strategy is that knowledge of HIV/AIDS and how to live with HIV is to be improved in the public sector, in working life and in society at large. It is apparent that initiatives to increase general awareness of HIV/AIDS is of very great importance, both for combatting prejudice and discrimination, but also for ensuring the effectiveness of prevention work.

464. Access to essential drugs: Essential medicines are those that satisfy the prioritised care needs of the population. Essential medicines are chosen by reference to the occurrence of diseases, proof of concept for efficacy, safety and cost efficiency.

465. Most countries have national lists and some also have local lists. National lists of essential medicines are often closely related to the national guidelines for clinical care used to train and guide medical staff.

466. The economic effect of medicinal products is great, particularly in developing countries.

467. Sweden is a country that does not need to apply the WHO List of Essential Medicines as we have good access to medicinal products.

468. Psychiatric treatment and care: The National Board of Health and Welfare has been instructed by the Government since 2010 to produce guidelines for the treatment of anxiety and depression as well as for schizophrenia and illnesses resembling schizophrenia. The guidelines for anxiety and depression will be updated in 2013 in parallel with the work to support municipalities and county councils with the introduction of the methods referred to in the guidelines for schizophrenia and schizophrenia-type conditions.

469. The National Board of Health and Welfare will also produce national medical indicators in 2013 for the pharmaceutical treatment of, and guidelines on support for, people with ADHD. Similar work is underway in respect of ECT treatment for depression, autism spectrum disorders and maternal and child health care and similarly student health services. Assisting the responsible authority and individual practitioners by providing national guidelines increases the opportunities to use evidence-based practice.

470. There are two main tracks for follow-ups: follow-ups using indicators; and follow-ups via quality registries. The National Board of Health and Welfare has been instructed to continue developing the existing structure for national follow-up and evaluation within the area of psychiatry and up until 2015 shall develop indicators and data sets for the follow-up and evaluation of both activities and initiatives within this area.

471. Development work will be carried out within the framework of two different greements between the State and the responsible authority relating to a quality registry within eight different diagnoses in the area of psychiatry. This development work in the area of psychiatry has been linked to the agreement concluded between the State and the responsible authority (Swedish Association of Local Authorities and Regions – SKL) for 2013, where county councils that make entries into the relevant quality registries receive performance-based funds. Quality registries clarify the most important quality components in the care and treatment of different conditions.

472. The occurrence of care in Sweden under the Compulsory Psychiatric Care Act (1991:1128 – LPT) and the Forensic Psychiatric Care Act (1991:1129 – LRV) is reported in the National Patient Register kept by the National Board of Health and Welfare. The reporting obligation covers, among other things, care days, diagnoses, treatment measures taken as well compulsory measures such as physical restraints and isolation.

473. There is significant under-reporting in the register as regards what measures were taken. However, the reporting on the numbers of times on which care is provided is considered to be rather comprehensive. The Government has entered into an agreement with the Swedish Association of Local Authorities and Regions (SKL) that, among other things, aims to encourage improved reporting, and also instructed the National Board of Health and Welfare to develop its follow-up and statistics within this area.

Recommendation 23

474. Reasons for obesity: The proportion of children who eat vegetables regularly has increased, whereas the proportion who frequently eat sweets and soft drinks has reduced. The proportion of young people who achieve the recommended intake for fruit and vegetables continues to be low. Girls have better eating habits than boys and young women have better eating habits than young men, which is reflected in the growing number of boys and young men who are overweight. The proportion of overweight children and young people is greater than before and there are no indications of this reducing.

475. It has become more common over the past two decades for adults to be overweight or obese. These increases have been greatest among people under the age of 50. However, there does not appear to have been any change over the past decade in respect of the proportion of adults who are overweight despite indications that obesity has become slightly more common. It is most common for men to be overweight, while obesity is equally common regardless of gender and is also more prevalent among people with a low level of education than among people with a high level of education. The proportion of adults with a sedentary lifestyle has not changed over the past decade.

476. Society plays a role in overweight and obesity trends as do our genes and lifestyle. The critical factor is a person's total energy intake in relation to their eating habits and level of physical activity. It is stated in the Government Bill *En förnyad folkhälso-politik* [A Renewed Public Health Policy] (2007/08:110) and Communication *En folkhälsopolitik med människan i centrum* [A public health policy with the individual in the centre] (2011/12:166) that the work to promote healthy eating habits and physical activity constitute priority areas for public health policy. In light of this, the Government has conducted a number of measures, some of which are mentioned below.

The school as an arena

477. Schools comprise an important arena for health promotion work. The provisions of the new Education Act (2010:800) state that school meals, which are offered free of charge for students at compulsory school, should be nutritious. The Government is also conducting a comprehensive initiative during the period 2012 to 2015 to improve student health.

The sport movement and outdoor life

478. Extensive government support is paid annually to the sport movement with a view to helping to foster a lifelong interest in physical activity and consequently promoting good health for all people.

479. The development work conducted in accordance with the Government Bill *Framtidens friluftsliv* [Future outdoor recreation] (2009/10:238) strengthens the preconditions for outdoor recreation to promote physical activity and public health.

Promotion through social planning

480. Measures are being implemented to promote social planning for an environment that makes physical activity possible in everyday life; this includes, among other things, measures to promote cycling and knowledge support for the responsible authority at a local level in the work to develop town planning that promotes physical activity and health.

Workplaces that support health

481. The State is supporting the work relating to workplace health promotion by making physical activity that is of the simple kind and other health and fitness promotion a tax-exempt staff care benefit. The State is also supporting the work on workplace health promotion by making free occupational health services a tax-exempt benefit for employees and with costs tax deductible for employers.

Cooperation between actors in society

482. Cooperation has been established to promote physical activity and healthy eating habits. Among other things, an activity week for healthy eating habits and physical activity — *Ett friskare Sverige* [A Healthier Sweden] — was held in 2010, 2011 and 2012 and a National Forum for Health Promotion was established, which includes the public authorities, sectors and organisations involved, with a view to creating the preconditions for dialogue, information, exchange of experience and also to ascertain the preconditions for new initiatives and measures.

Focus on meals

483. The National Food Agency has been instructed, within the framework of *Sverige – det nya matlandet* [Sweden – the new culinary nation], to establish a new national competence centre for meals in the public sector to support and encourage municipalities and county councils in their work to produce action plans for public meals within health and medical services and schools, focussing on, among other things, nutrition.

Health and medical services that promote health

484. The Government has intensified its work to stimulate change work within the health and medical services so that initiatives to promote health and prevent disease are systematically integrated into ongoing care work. Measures have been taken within this framework to, among other things, develop and disseminate the method *Fysisk aktivitet på recept* (Physical Activity on Prescription – FaR), implement national guidelines for

methods to prevent disease in the areas of tobacco, the hazardous use of alcohol, eating habits and physical activity and also to compile and disseminate knowledge to support effective work to promote health and prevent disease within maternal health care, child health care and student health services within the areas of healthy eating habits and physical activity.

Evidence-based public health work

485. The Government has also stated that public health work should be knowledge-based in order to achieve a long-term improvement in the health of the population and in light of this has taken several measures to develop the work relating to evidence grading and also open comparisons in the area of public health.

486. Suicide in Sweden has remained at a stable level for all age groups since 2006. Suicides since 1990 have reduced most rapidly among elderly people, particularly among men, and the gap between the age groups has reduced. Suicide is more common among men than women and more common among older people than younger people. Suicide among women is most common within the age group 45 to 64, and among men within the age group 75 and over.

487. The most urgent work for reducing the number of suicides is considered to be preventive work with mental illness among children and young people. SEK 641 million was invested during the period 2012 to 2015 to strengthen the student health service at Swedish schools, focussing on, among other things, increasing the numbers of psychologists and social welfare officers; the Government has been working with the responsible authority since 2009 to increase coordination and improve accessibility to psychiatric care for children and young people.

488. Every suicide that occurs within four weeks of a care contact is analysed for the purpose of gaining more knowledge about suicides that occur in conjunction with care. The findings from the analysis are summarised annually and reported back to the operations in order to facilitate quality development and continuous learning. An extended obligation is currently being considered to conduct a broader root-cause analysis for each suicide.

489. A suicide prevention programme known as Mental Health First Aid, which was developed in Australia, has during the period 2010 to 2013 been offered to professions who may come into contact with people with mental illness. The objective of the training is to provide an insight into the processes underlying suicide among young people, adults and elderly people and also into effective, non-judgmental, confidence-building communication techniques. Corresponding training started in 2012 for those categories of staff that come into contact with young people who are at risk of developing a mental illness.

490. National Strategy against HIV/AIDS and Certain Other Contagious Diseases – the Government's initiatives are based on the National Strategy against HIV/AIDS and Certain other Contagious Diseases (Government Bill 2005/06:60), which was presented in December 2005. The strategy states that the objectives of society's initiatives are to limit the spread of HIV and other STIs and also to limit the consequences of these infections for society and for the individual.

Coordination

491. Work to promote sexual health and combat STIs takes place in many different ways and at different levels in Sweden. There are consequently special functions to improve coordination and strengthen the work.

492. "*Hivportalen*" is administered by the Swedish Institute for Communicable Disease Control and is targeted at those actors that work in different ways to prevent HIV and other

STIs and promote sexual health in Sweden. The purpose of the *Hivportalen* is to compile and strengthen prevention by providing facts, publications, statistics, research, methods and news within this area, all gathered on one website. This makes it easier for the different actors to find information, share their knowledge and experience, and also find appropriate partners with which to exchange experience and cooperate.

493. The Government has also established a national council for the coordination of prevention work in Sweden (National Council for Coordination of HIV Prevention). The Council assembled for the first time in May 2007 and is known by the abbreviated name *Nationella Hivrådet*.

Building and developing knowledge

494. The promotion of knowledge building and support represents an important component of successful prevention work. The Swedish Institute for Communicable Disease Control continually conducts studies to enable it to carry out systematic follow-ups of knowledge, attitudes and behaviour for the most important prevention groups. A special action plan for chlamydia prevention has been produced as support for the preventive work. The Swedish Institute for Communicable Disease Control also produces supporting information for how prevention relating to HIV and STIs should be structured for different prevention groups.

495. The Government has instructed the Swedish Institute for Communicable Disease Control, the National Board of Health and Welfare and the Swedish National Institute of Public Health to produce a national strategy for sexual and reproductive health and rights. Completion of this strategy is expected in late 2014.

Information activities

496. The Swedish Institute for Communicable Disease Control continually conducts communication and information activities to raise awareness and knowledge of STIs. As a basis for its initiatives, a cooperation model and communication initiative plan has been produced on the mandate of the Government and in partnership with county councils and metropolitan municipalities.

Initiatives targeted at young people

497. The sexual risks assumed by young people and young adults (age group 15 to 24) have increased, which has been shown by the extensive spread of chlamydia infection within these age groups, particularly among young heterosexual people. In light of this, the need for effective prevention initiatives targeted at this group is of great importance. Of particular importance is increasing the use of condoms among young people and reducing sexual risk-taking behaviour. Several investments have been made to raise young peoples' awareness of HIV and other STIs. One successful initiative is the umo.se web portal, a website that functions as a youth clinic on the Internet. Umo.se offers readily accessible information about sex, health and relationships for young people and young adults.

InfCareHIV quality registry

498. InfCareHIV is a national quality registry for Swedish HIV care. The register is used to monitor and develop care for people who are HIV positive. The register is being developed by people working within the medical services who will benefit from the register in their day-to-day professional work. The register is being jointly financed by the State and county councils. The latest results from the register showed that the virus levels reached by nine out of ten HIV infected people are so low they are not measurable. Just as many people are satisfied with their care.

Infection screening of pregnant women

499. The National Board of Health and Welfare's Regulations (SOSFS 2004:13) on the Infection Screening of Pregnant Women prescribed that all pregnant women shall be offered testing for hepatitis B, HIV infection and syphilis.

500. The Swedish Government and the Riksdag (Swedish Parliament) adopted a national strategy for alcohol, narcotics, doping and tobacco (ANDT) policy in 2010/2011. The overall objective is to reduce all tobacco use, including moist snuff [*snus*]. The most important initiatives for achieving the objective is effective and coordinated supervision of tobacco (including checks regarding age, where the limit is 18), health promotion and disease prevention work within maternity care and child healthcare services, structured tobacco cessation programmes within primary care, the prohibition of tobacco advertising, development support for development work at a local level to develop methods to prevent children and young people from starting to use tobacco products, legislation to regulate passive smoking in all public places, a research study to develop tobacco prevention (Karolinska Institute), support for the Non Smoking Generation foundation and the development of a method for health promotion and disease prevention work within dental care.

Recommendation 24

501. The occurrence of care under the Compulsory Psychiatric Care Act (1991:1128 – LPT) and the Forensic Psychiatric Care Act (1991:1129 – LRV) in Sweden is reported in the National Patient Register kept by the National Board of Health and Welfare. The reporting obligation covers, among other things, care days, diagnosis, treatment measures taken as well as compulsory measures such as physical restraints and isolation.

502. There is significant under-reporting in the register as regards measures taken. However, the reporting on the numbers of times on which care is provided is considered to be rather comprehensive. The Government entered into an agreement with the Swedish Association of Local Authorities and Regions (SKL), which, among other things, aims to encourage better reporting, and also instructed the National Board of Health and Welfare to develop its follow-up and statistics within this area.

Recommendation 35

Scope of public health policy

503. Public health policy in Sweden spans several sectors of society and covers a number of policy areas; the work focuses on health determinants rather than health trends per se. Public health policy is underpinned by a Government Bill (*Mål för folkhälsan* – Objectives for Public Health) that was delivered in 2003. This Government Bill states that the overall objective for public health policy is to create conditions in society that enable the entire population to enjoy good health on equal terms. The objectives have eleven objective domains for follow-up. The Government subsequently presented a further Government Bill *En förnyad folkhälso-politik* [A Renewed Public Health Policy] in 2008 and two orientation communications *Folkhälsopolitik för jämlikhet i hälsa och hållbar tillväxt* [Public health policy for equality in health and sustainable development) in 2006 and *En folkhälsopolitik med människan i centrum* [A public health policy with the individual in the centre] in 2012 based on, among other things, the follow-up conducted. The latter defines five building blocks for realising the policy: Start – the environment in which children and young people grow up; Support – making healthy choices easier; Protection – effective and safe protection against health threats; Cooperation – common responsibility for good health; and Enhanced knowledge management – for more effective public health efforts.

Follow-up systems for public health

504. In conjunction with the Government Bill *Mål för folkhälsa* [Objectives for Public Health], the Swedish National Institute of Public Health was instructed in 2003 to develop a follow-up system based on the objective domains presented in the Government Bill. The development of indicators for the follow-up system was also based on the specific policy domain objectives applicable at that time for each policy area. The policy domain objective structure has now been discontinued.

505. The Swedish National Institute of Public Health presents an aggregated public health policy report once per government term of office based on the follow-up system and an analysis of the initiatives conducted. In addition to this, the Swedish National Institute of Public Health and the National Board of Health and Welfare work together to produce an annual report on public health trends. This report covers both the development of health determinants and health trends in the population. The Swedish National Institute of Public Health conducts an annual questionnaire of the population *Hälsa på lika villkor* [Health on equal terms] and develops *Folkhälsodata* [Public Health Data] for municipalities and county councils and *FolkhälsoAtlas* [Public Health Atlas], which presents indicators, among other things, on web-based maps at a local and regional level. The National Board of Health and Welfare and the Swedish National Institute of Public Health have been instructed to produce a joint thematic report on children and young people. This was presented in March 2013.

Evaluation of the follow-up system

506. In conjunction with the last orientation communication in 2012, the Government also instructed the Swedish Agency for Public Management to evaluate the national public health policy follow-up system. The Swedish Agency for Public Management was to analyse whether the national public health policy follow-up system was fit for its purpose of following up the overall national public health objectives. Where required, the Swedish Agency for Public Management was to propose changes with a view to improving the efficiency of the system and its fitness for purpose.

507. The Swedish Agency for Public Management delivered its report on the mandate in March 2013 in the report Utvärdering av uppföljningssystemet för den nationella folkhälsopolitiken [Evaluation of the follow-up system for national public health policy] (2013:4).

Article 13 – Right to education

Guideline 58 – Human rights in education

508. A new Education Act has applied as of 1 July 2011. The Act lays down that the purpose of education within the school system includes imparting and establishing respect for human rights and the fundamental democratic values on which Swedish society is based. Furthermore, education shall be designed in such a way that it is consistent with fundamental democratic values and human rights such as the inviolability of human life, individual freedom and integrity, the equal value of all people, equality between women and men and solidarity with the weak and vulnerable. The Act also states that everyone working within education should promote human rights and actively combat all forms of degrading treatment.

509. The Higher Vocational Education Act (2009:128) prescribes that operations within higher vocation education shall respect fundamental democratic values. Everyone working within higher vocational education is to promote respect for the intrinsic value of each person as well as respect for human rights and our shared environment.

Pre-school classes, compulsory schools and leisure-time centres

510. There have also been new curricula and syllabuses for compulsory types of education, pre-school classes and leisure-time centres as of 1 July 2011. The curricula state the fundamental values and overall goals and guidelines for schools. The curricula for compulsory schools, pre-school classes and leisure-time centres (Lgr11) prescribe that schools are responsible for ensuring that each pupil on completing compulsory school has obtained knowledge of society's laws and norms, human rights and democratic values in school and in society.

511. The goal for schools is that each pupil can consciously determine and express ethical standpoints based on their knowledge of human rights and basic democratic values, as well as personal experiences. Schools are also responsible for ensuring that pupils have obtained knowledge about the cultures, languages, religion and history of the national minorities (Jews, Roma, indigenous Sami, Swedish and Tornedal Finns). According to the curricula, teachers should prepare pupils for participating and assuming responsibility, and applying the rights and obligations that characterise a democratic society. Corresponding wording can be found in the curricula for special schools, Sami schools and compulsory education for pupils with learning disabilities.

512. There is a nationally approved syllabus for each subject at compulsory schools and corresponding types of school which includes nationally approved required knowledge, core content and aims. It is stated in the new syllabus for Civics that teaching in this subject should help pupils to develop their familiarity with human rights, democratic processes and ways of working. It should also help pupils to acquire knowledge about and the ability to reflect over the values and principles that distinguish a democratic society.

Upper secondary schools

513. Upper secondary education shall impart and establish respect for human rights and the fundamental democratic values on which Swedish society is based. The inviolability of human life, individual freedom and integrity, the equal value of all people, equality between women and men and solidarity with the weak and vulnerable are the values that the schools should represent and impart.

514. Upper secondary schools should promote understanding of other people and the ability to empathize. No one at school should be subjected to discrimination on the grounds of gender, ethnic affiliation, religion or other belief system, transgender identity or its expression, sexual orientation, age or functional impairment or other degrading treatment. All tendencies towards discrimination or degrading treatment should be actively combated. Xenophobia and intolerance must be confronted with knowledge, open discussion and active measures.

515. It is also the responsibility of upper secondary schools to ensure that each pupil has gained knowledge about the cultures, languages, religion and history of the national minorities (Jews, Roma, indigenous Sami, Swedish and Tornedal Finns) and also can consciously determine ethical standpoints based on a knowledge of human rights and basic democratic values, as well as personal experiences. The goal of upper secondary schools is also that each pupil respects the intrinsic value and integrity of other people, rejects the subjection of people to oppression and degrading treatment and assists in helping other people, and can interact with other people based on respect for differences in living conditions, culture, language, religion and history. Pupils at upper secondary schools shall have access to libraries and academic and vocational guidance.

516. The Higher Education Ordinance (1993:100) governs, among other things, the requirements and targets for vocational qualifications. It is stated in the qualification descriptors for a number of qualifications that in order to be awarded a qualification

students must demonstrate a certain judgment and approach taking particular account of human rights.

Guideline 59 – Free compulsory education

517. Attendance at compulsory school is mandatory for all children resident in Sweden. Compulsory schooling lasts for nine school years. The main rule is that compulsory attendance at school applies to children from the autumn term of the year in which they attain the age of seven and that compulsory attendance ceases at the end of the spring term in school year 9. Most children in Sweden start school year 1 in the autumn term of the year in which they attain the age of seven. Children may also be allowed to start school from as early as the age of six and, for special reasons, as late as the year in which they attain the age of 8.

518. According to the Education Act, education at compulsory school shall be free. Pupils shall have access without charge to books and such other learning tools as are needed for a modern education and shall also be offered free nutritional school meals. Under the Education Act there may however be occasional items involving negligible expense for pupils. The responsible school authorities are responsible for ensuring that education is free and shall also make an overall assessment of all of the costs borne by a pupil during an academic year so that these costs are not onerous for pupils and their families. The Swedish School Inspectorate supervises the responsible school authorities to ensure compliance with these provisions on fee exemption.

519. Under the Education Act, pupils at compulsory schools under a public responsible authority are normally entitled to free school transport provided such transport is required because of the distance travelled, traffic conditions, a pupil's functional impairment or any other special circumstance. The pupil's home municipality is responsible for arranging school transport. The municipality shall also arrange free school transport for pupils attending independent compulsory schools in those cases where this can be done without organisational or financial difficulties.

Guideline 60 – Accessibility and admission to upper secondary education and vocational training

Upper secondary schools

520. Upper secondary schools are a voluntary type of education and comprise 18 national programmes, eight of which are vocational programmes and twelve programmes preparatory for higher education. In addition, there are five introductory programmes for students who are not eligible for a national programme. Everyone shall have equal access to education in the school system irrespective of geographical residence and social and financial circumstances. The education shall be of equal standard wherever in Sweden it is provided. The education shall afford particular attention to students who need special support.

521. Education is free for students. Students shall have access without charge to books and such other learning tools as are needed for a modern education. However, the municipality may decide that students shall provide occasional personal aids. Furthermore, there may be occasional items in the education that may involve negligible expense for students.

522. Students must have completed compulsory school education or equivalent in order to be eligible for upper secondary school. In addition, admission to a vocational programme requires a pass grade in Swedish — or alternatively Swedish as a second language — English and Mathematics and at least five other subjects. Admission to a programme

preparatory for higher education requires a pass grade in Swedish — or alternatively Swedish as a second language — English and Mathematics and at least nine other subjects. The Government has issued special regulations about special entrance qualifications for some programmes preparatory for higher education.

523. The municipality of residence is obliged to offer various introductory programmes for students who are not eligible for a national programme. The aims of the introductory programmes differ to some extent, but on the whole involve preparing the way for students to either go on to further studies or enter the labour market. Students on introductory programmes are entitled to full-time studies as are students on the national programme.

524. Ninety-eight per cent of students at compulsory school go on to upper secondary school. In the autumn of 2012 52 per cent of students in school year 1 went on to a programme preparatory for higher education and 29 per cent of students went on to a vocational programme. The other students went on to one of the introductory programmes.

525. Seventy-two per cent of 20-year olds in Sweden had received a final certificate from upper secondary school by 2010, which is the same level as for previous years. The proportion of 20-year olds who are eligible to apply to universities and university colleges has increased since the early 2000s and has been 64 per cent for the past five years. Forty-five per cent of students who completed upper secondary education during the academic year 2008/09 went on to higher education. A higher proportion of women than men complete their upper secondary education and go on to higher education.

Municipal adult education

526. Municipal adult education (*Komvux*) ensures adults the opportunity to develop their knowledge and skills in order to strengthen their position in working and societal life, and also to promote their personal development. Komvux is split into two levels: Municipal adult education at the compulsory school level shall provide adults with the knowledge and skills they need to participate in societal and working life. It also aims to provide routes to further studies. Municipalities must offer municipal adult education at a compulsory school level to all adults who lack the skills normally acquired at compulsory school.

527. Municipal adult education at upper secondary level in turn aims to provide adults with knowledge and skills at a level corresponding to education at upper secondary school. People with limited previous education are to be afforded priority when selecting eligible applicants.

Higher vocational schools

528. Higher vocational schools are a post-secondary type of education within the public education system. Education providers work with the world of work to design and run courses that aim to meet the need for a skilled labour force. Approximately 40,000 students participated in this kind of education in 2012, 22,623 of whom were women and 21,720 men. The Government has increased the number of places in recent years owing to the financial crisis and labour market situation, and some of these places have also been made permanent.

529. The Swedish National Agency for Higher Vocational Education has been instructed by the Government to conduct a pilot project to enable people with disabilities to study at higher vocational schools. Five courses with extended support started in the autumn of 2012. Another intake is planned for the autumn of 2013.

530. Under the Higher Vocational Education Ordinance (2009:130), municipalities may distribute government grants to education providers for pedagogical support or other

physical adaptations where this promotes the possibilities for people with disabilities to complete their education.

Guideline 61 – Accessibility and admission to higher education

531. Higher education in Sweden is free for students from the EU/EEA and is linked to a general student aid system. This education is available for many people, both through universities and university colleges in each county and extensive distance learning courses.

Protection against discrimination in higher education

532. As previously mentioned, the Discrimination Act (2008:567) entered into force on 1 January 2009. This Act replaced the Equal Opportunities Act (1991:443) and six other civil laws, including the Equal Treatment of Students in Higher Education Act (2001:1286). The purpose of the Discrimination Act is to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. Among other things, the Act provides students and applicants with powerful protection against discrimination.

533. The Act applies to all educational activities, for example, higher education conducted at universities and university colleges with the State as responsible authority and at private education providers who have a licence to award certain degrees (referred to below as "institutes of higher education"). The Act includes provisions that prohibit direct and indirect discrimination, harassment, sexual harassment and instructions to discriminate. The prohibition of discrimination also applies to cases where institutes of higher education, by taking reasonable measures regarding the accessibility and functionality of the premises, can ensure that a person with a disability who is applying for or has been accepted for higher education, is put into a comparable situation to people without such a disability.

534. It is also stated in the Discrimination Act that an institute of higher education may not subject a student or applicant to reprisals because they have reported the institute for discrimination, participated in an investigation under the Act or rebuffed or given in to harassment. It also follows from the Act that institutes of higher education, within the framework of their activities, are to conduct goal-oriented work to actively promote equal rights. Requirements are also imposed on institutes of higher education to implement measures to prevent and impede any student or applicant from being subjected to harassment.

535. In addition to the prohibition of discrimination, the Act imposes requirements on institutes of higher education to draw up a plan each year containing an overview of the measures needed to: (1) promote the equal rights and opportunities of students and applicants; and (2) prevent and impede harassment. The plan shall also contain an account of which of these measures the institute intends to initiate or implement during the coming year. The institute of higher education is also under an obligation to investigate the circumstances surrounding the alleged harassment and where appropriate take such measures as can reasonably be demanded to prevent harassment in the future. The legal sanction that may arise in the event of infringements of the prohibition of discrimination are "compensation for discrimination".

536. Special support is given to students with disabilities. The number of students granted special pedagogical support increased by 11 per cent during the period 2011 to 2012.

Guideline 62 – Investments to improve reading skills

Pre-schools

537. The Government has decided on changes to the pre-school curriculum that are to apply from 1 July 2011. These revisions involve, among other things, a clarification and extension of the curriculum's targets for children's language and communicative development.

538. The Government mandated the National Agency for Education to conduct a continuing education initiative called *Förskolelyftet* [Boost for Pre-school]. This initiative encompasses pre-school teachers, childcare workers and staff with pedagogical management responsibility at pre-schools. Pre-school teachers are being offered in-service training during the period 2012 to 2014 targeted at children in need of special support for their language and communicative and also mathematical development. A course specialising in multilingualism and intercultural competence is also being offered in 2013.

Pre-school classes, compulsory schools and upper secondary schools

539. The Government has taken several measures aimed at improving the results of pupils and students in reading and writing, including the introduction of clearer syllabuses, subject plans and required knowledge that emphasise the linguistic dimension in all subjects.

540. Government grants to strengthen the work relating to the basic skills of reading, writing and maths were distributed to the authorities responsible for pre-school classes and compulsory schools by the National Agency for Education on the mandate of the Government during the period 2008 to 2012. This investment comprised just over SEK 1.5 billion and the government grant was intended for measures to increase the target achievement of pupils, particularly those at risk of not achieving their targets and who were in need of special support. It could also be used to engage more staff at the school, for in-service training for teachers working within the school and other similar support and development initiatives as well as the acquisition of teaching materials.

541. The Government has mandated the National Agency for Education to run a National Centre for Language, Reading and Writing Development (NCS). NCS is working to encourage responsible authorities and schools to actively work on language, reading and writing development. NCS also supports the formation and development of regional networks for language, reading and writing developers. The purpose is to create opportunities for long-term, systematic quality work relating to the language, reading and writing development of children and pupils.

542. The National Agency for Education was mandated in 2011 to implement initiatives to promote gender equality within the school system. This includes in-service training aimed at promoting gender equality and disseminating knowledge to promote the equal opportunities of every pupil to attain the targets. It also aims to stimulate the reading, writing and language development of pupils, and is targeted at pre-school teachers and other teachers at pre-schools and pre-school classes as well as teachers of Swedish and Swedish as a second language within the compulsory school system and at upper secondary schools. This mandate will run up to and including 2014.

543. The new Education Act (2010:800), which applies from 1 July 2011, entails a strengthening of the rights of pupils and students to receive support. The knowledge of pupils and students must also be continuously followed up and evaluated so that schools can support them at an early stage to help more attain the school's educational targets. The Government has previously introduced written assessments at compulsory school from school year 1 in order to reinforce follow-up and evaluation. Furthermore, grades were

introduced from school year 6, starting in the autumn term of 2012. National tests in Swedish have been introduced for several school years, and compulsory tests are now held in school years 3, 6 and 9 to support the teachers' assessment of pupils' knowledge.

544. The competence of teachers and the structure of their teaching are critical to the study results of pupils and the possibility of learning. The Government has made special investments and offered teachers an opportunity to strengthen their competence in subject-related theory and subject-related didactics. During the period 2012 to 2015, employed teachers with a teaching degree will be afforded the opportunity to supplement their qualifications in subjects that they teach where they lack formal qualifications. Further initiatives within the area include tightening up the formal qualification rules, reintroducing training for teachers in special needs education and introducing accredited teachers.

Swedish tuition for immigrants (sfi)

545. Swedish tuition for immigrants (sfi) is advanced language education aimed at providing basic Swedish language skills to adults with a mother tongue other than Swedish. Students learn and develop a functional second language during this education. The tuition should provide language tools for communication and active participation in daily, societal and working life.

546. Sfi also aims to give adult immigrants who lack basic reading and writing skills the opportunity of acquiring such skills. This may include students who are illiterate with a short educational history, as well as students who are able to read and write but use a different writing system. Students who are functionally literate or use a writing system other than the Latin alphabet are to receive reading and writing instruction within the framework of their sfi education. The municipality is the authority responsible for sfi and is responsible both for the education offered and for ensuring that everyone entitled to participate receives information about this tuition.

Vocational upper secondary adult education (Yrkesvux)

547. The Government has made strong commitments to vocational training for adults in recent years. Investments were made in vocational upper secondary adult education (*yrkesvux*) in 2009, which has given some 10,000 adults the opportunity to pursue vocational training. This investment is planned to run up until 2014.

548. A further investment in vocational training for adults was made in 2011 in the form of apprenticeship training for adults (apprentice programme for adults – *lärlingsvux*). Most of the training within this programme (at least 70 per cent) will be carried out at a place of work under the supervision of a tutor.

Guideline 63 – Mother-tongue tuition and education for students belonging to minorities

549. The national minorities (the indigenous Sami people, Swedish and Tornedal Finns, Roma, and Jews) have better opportunities to get tuition in their national minority languages within the framework of mother-tongue tuition than other groups in Sweden in accordance with Sweden's commitments to its national minorities as of the ratification of the Council of Europe Framework Convention for the Protection of National Minorities (Swedish International Agreement – SÖ 2000:2) and the European Charter for Regional or Minority Languages (Swedish International Agreement – SÖ 2000:3). National minorities are exempt from most of the requirements relating to mother-tongue tuition in their minority language under the Education Act (2010:800) and the Education Ordinance (2011:185). They are exempt from the requirement for pupils to possess a basic knowledge of the language in order to receive mother-tongue tuition.

550. Pupils who are not national minorities, but who have a custodian with a mother tongue other than Swedish, are to be offered mother-tongue tuition in this language if the language is the pupil's daily social language at home. The responsible authority is only liable to arrange mother-tongue tuition if such tuition has been requested by at least five pupils who want to be offered mother-tongue tuition in the language and a suitable teacher is available. Corresponding requirements consequently do not apply to pupils belonging to a national minority.

551. The remaining requirement — that a pupil who belongs to a national minority should possess a basic knowledge of the language — is being reviewed by the working group *Vissa skollagsfrågor* [Certain Education Act Issues], which has been mandated to review and propose changes to the Education Act in respect of, among other things, mother-tongue tuition for the national minorities. The Government Offices await the conclusions of the working group.

552. The indigenous Sami people are entitled to education at a special type of school called the Sami school. Activities are conducted at both Sami pre-schools and Sami schools under the Sami School Board, which is a public authority. Teaching at Sami schools is conducted in school years 1–6, where pupils have an opportunity to attend integrated Sami education in school years 7–9. Integrated Sami education is conducted by the municipal or independent authorities responsible following an agreement with the Sami School Board. The State provides government grants to the responsible authority to part-finance the integrated Sami education.

553. The Government announced in the Budget Bill for 2013 that the Sami School Board would be granted funds to enable an extension to be built at the Sami school in Kiruna and to prepare the school for an increase in the number of pupils. This is to ensure that it will be possible for parents to choose a Sami school or pre-school for their children. The Sami School Board has also been allocated additional funds to strengthen the integrated Sami education offered. The Government has instructed the Sami School Board to assume responsibility for producing certain teaching materials in Sami. The Board produces each year new materials that can be used in teaching.

554. The National Agency for Education has certain government mandates within the framework of the Government's strategy for Roma inclusion. The National Agency for Education is required to produce teaching materials for the different variants of Romani Chib. They are also responsible for training "Roma bridge builders" who will act as an interface between the Roma people and the schools. The National Agency for Education is currently training bridge builders from pilot municipalities and work is progressing within the framework of the strategy.

555. The Government will grant funds to the *Finska nu* [Finnish Now] project in 2013 and 2014. This project was initiated by the Swedish-Finnish Cultural Foundation and aims to strengthen use of and create an increased interest in the Finnish language in Sweden. The project comprises three sub-projects, the main project being directed at pre-schools to strengthen the Finnish language and identity of children in these schools who speak Finnish.

556. Students from the national minorities may be offered bilingual instruction by the responsible authorities in school years 1–6. Such instruction provides good opportunities to further strengthen linguistic skills in both Swedish and a national minority language. Bilingual schools with tuition in Finnish cover years 1–9. A pilot project is also being conducted that involves offering bilingual tuition in school years 7–9 for national minorities other than Finnish.

557. The national minorities follow the same curricula as other students, and the same rules contained in enactments such as the Education Act and Education Ordinance apply to the teaching of students from national minorities.

Guideline 64 – Equal access to education for girls and boys

558. Compulsory school is, as the name implies, compulsory and attendance at these schools is mandatory for all children resident in Sweden and the responsible authorities and legal guardians of pupils have the joint task of ensuring that pupils participate in this education. The Education Act (2010:800) states that all children and young persons shall have equal access to education in the national school system. The Discrimination Act (2008:567) includes provisions aimed at combatting discrimination and in other ways promoting equal rights and opportunities, regardless of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.

559. The curricula for compulsory school, pre-school classes and leisure-time centres (Lgr11) prescribe that schools should actively and consciously promote equal rights and opportunities for women and men. The school has a responsibility to counteract traditional gender patterns and should thus provide scope for pupils to explore and develop their ability and their interests independently of gender.

560. The Government gave the National Agency for Education three mandates during the period 2008 to 2012 relating to equality initiatives within the school system. These initiatives mainly involved the production of support material, offering guidance during development work and competence development for teachers and the responsible school authorities. Some of the fundamental points for these mandates were to combat gender-related harassment and prevent students from the under-represented gender leaving, to disseminate knowledge about gender and success at school and also to implement initiatives to impede and prevent violence and oppression in the name of honour.

561. The Higher Education Act (1992:1434) states that higher education institutions should actively promote and broaden recruitment to higher education.

Guideline 65 – Measures to reduce student dropout from education and training

562. The new Education Act (2010:800) imposes more stringent requirements on responsible authorities to offer special support to students if they are finding it difficult to follow the classes or achieve their targets. An investigation into these students is being conducted that will subsequently lead to an action programme with initiatives to support the opportunities of students to achieve the targets set for their education. This support may differ and will be tailored to the needs of the student.

Compulsory schools

563. These schools comprise the compulsory part of the Swedish education system and the responsible authorities and guardians of pupils have the joint task of ensuring that pupils participate in this education. This is done, for example, through follow-up discussions between the responsible authorities and guardians if pupils do not participate in the education.

564. The National Agency for Education is tasked, within the framework of the Government's strategy for Roma inclusion, with ensuring that appropriate training is made available to train a total of 20 bridge builders during the period 2012 to 2015 within pre-schools, pre-school classes and compulsory schools in a number of pilot municipalities with a view to improving the educational situation for the Roma minority. This training will focus on issues relating to the learning and development of children and pupils and also communication and collaboration between children, pupils, students, parents and other

adults. Bridge builders are individuals with Roma linguistic and cultural skills, for example, a teaching assistant with knowledge of Roma culture and Romani Chib. People trained as bridge builders may, for instance, be people with Roma linguistic and cultural skills who are already employed by a municipality. Roma bridge builders represent a link between pupils and parents and also school staff and the responsible authority. They should reduce the gaps in information and understanding between these groups in order to, among other things, increase the proportion of Roma pupils who complete their schooling.

Upper secondary schools

565. The Government appropriated SEK 10 million in 2013 primarily for the in-service training of study and career guidance counsellors, and is also allotting SEK 11 million for 2014, SEK 10 million for 2015 and SEK 5 million for 2016 for the same purpose.

566. Investments in entrepreneurship are currently being made at compulsory schools, upper secondary schools and within adult education which could increase the motivation of students to complete their education. The Government is focussing on the Vocational Introduction introductory programme in 2013. The objective is to boost the motivation of students who are in danger of pulling out of education and prepare them for the labour market or further studies at upper secondary school. Investments are also being made in workplace-based learning within vocational programmes and apprenticeship training to increase the quality of this area.

567. The Government appointed an Inquiry in June 2012 to propose how to develop work relating to young people not in education, employment or training (sometimes referred to as "NEETS"). This Inquiry has been instructed to, among other things, review the municipal information responsibility for young people who have not attained the age of 20 and are not in upper secondary school. Proposals expected from this Inquiry include an increased investment in upper secondary school introductory programmes and increased regulation with a view to preventing pulling out of studies and improving target achievement.

568. As part of one of the above-mentioned gender-equality mandates, one initiative was to offer competence development with the aim of generally promoting gender equality and discouraging pupils in the under-represented gender from pulling out of upper secondary school programmes that in terms of numbers are dominated by one gender.

Recommendation 25

569. The National Agency for Education has been instructed within the framework of the Government's strategy for Roma inclusion to assume responsibility for the implementation of certain measures announced in the Communication *En samordnad och långsiktig strategi för romsk inkludering 2012–2032* [A coordinated and long-term strategy for Roma inclusion 2012–2032]. This mandate comprises several sub-mandates. For example, the National Agency for Education shall help to better describe the situation of Roma children and pupils at pre-schools, pre-school classes, compulsory schools and upper secondary schools within five municipal authorities nominated by the Government for inclusion in a pilot project for Roma inclusion. This part of the mandate includes producing good examples of initiatives and measures to increase the attendance of Roma children at pre-schools and pre-school classes and similarly to report on which measures have been effective. Furthermore, the National Agency for Education is to report on the situation of Roma students in the municipalities included in the pilot project in terms of their completion of compulsory school with pass grades so that they are eligible to apply to upper secondary school and pursue upper secondary school studies. This mandate includes producing good examples and reporting on which measures have been effective. A final report on this sub-mandate is to be delivered during the spring of 2013.

570. Another part of the mandate of the National Agency for Education is to ensure that appropriate training is made available for a total of 20 bridge-builders during the period 2012 to 2015 within pre-schools, pre-school classes and compulsory schools in those municipalities included in the pilot project with a view to improving the educational situation for the Roma minority. The Government has granted funds to the municipalities in the pilot project which will finance 50 per cent of the wage bill for the bridge builders. A final report on the sub-mandate is to be delivered by March 2016. All parts of the mandate for the National Agency for Education relating to the strategy for Roma inclusion shall be implemented following consultation with the municipalities included in the pilot projects and local Roma representatives and experts.

571. The Discrimination Act (2008:567) has applied to, among other things, all areas of education and training since 1 January 2009. The purpose of the Act is to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. Under the Discrimination Act, an education provider, which, among other things, conducts education or other activities under the Education Act, shall draw up an equal treatment plan each year containing an overview of the measures needed to promote equal rights and opportunities regardless of sex, ethnicity, religion or other belief, disability, or sexual orientation.

572. The new Education Act (2010:800) applies from 1 July 2011 and regulates the prohibition of and measures to prevent degrading treatment. The new Education Act also introduced new reporting duties for school heads, pre-school heads, teachers, pre-school teachers and other staff. The intention was to ensure the effectiveness of the provisions concerning the obligation to investigate reports of degrading treatment and take measures. The new Education Act also imposes a requirement on the responsible authority to expeditiously investigate any reports of degrading treatment in order to further emphasise the importance of effectiveness in these matters.

573. The Child and School Student Representative is the government body that monitors the provisions of the Education Act (2010:800) relating to the prohibition of degrading treatment. The Child and School Student Representative shall also work with the Equality Ombudsman to counteract degrading treatment, discrimination and harassment of children and students. The Government renewed the mandate of the National Agency for Education to strengthen the fundamental values of schools and the work to combat discrimination and degrading treatment, such as bullying at schools, pre-schools and leisure-time centres.

Recommendation 26

574. Educational legislation stipulates that mother-tongue tuition shall be offered to students who are entitled to such tuition.

575. The school system in Sweden is structured so that local municipal and independent responsible authorities are responsible for how they organise and conduct their education based on national legislation. The Swedish Schools Inspectorate is the supervisory authority for schools and has been mandated by the Government to ensure that the resp0nsible authorities comply with their commitments. This is done through regular and targeted supervision and through quality audits. The Swedish Schools Inspectorate can order the responsible authority to take measures subject to a pre-determined fine for default. Individuals can report shortcomings and unsatisfactory situations to the Swedish Schools Inspectorate.

576. The Government announced in the Budget Bill for 2013 that some universities and university colleges should be given special commitments to build up and develop teacher training programmes for each language in order to ensure the provision of teachers for the

national minority languages of Finnish, Meänkieli, Romani Chib and Sami. The institutes of higher education concerned were mandated in the Terms of Reference for 2013 to build up and develop teacher training programmes in the said languages as quickly as possible. The purpose is for this tuition to be conducted in an environment and with a level of quality that enables compliance with the degree requirements under Appendix 2 of the Higher Education Ordinance (the Degree Ordinance) and that the institute of higher education can thereby be granted the right to award degrees for subject teachers in Finnish, Sami, Meänkieli and Romani Chib. The Government intends to monitor how many degrees for subject teachers are awarded that include the minority language and also otherwise revert on the issue of the evaluation of this special commitment.

Recommendation 27

577. The Riksdag made a decision in May 2013 in accordance with the Bill (Government Bill 2012/13:58) delivered by the Government in December 2012 regarding the right to education for children staying in Sweden without authorisation. This decision necessitates amendment of the Education Act (2010:800) so that children staying in Sweden without authorisation are basically afforded the same rights to education at pre-school classes, compulsory schools and corresponding types of education and upper secondary schools and upper secondary special schools as children who are resident in Sweden.

578. The right to education within compulsory schools and corresponding types of school does not imply compulsory attendance at school for children staying in Sweden without authorisation. The right to education at upper secondary school and upper secondary special school applies if the studies start before the child attains the age of 18. Children staying in Sweden without authorisation are also entitled to school transport and school trips on the same conditions as children who are resident in Sweden. These amendments enter into force on 1 July 2013.

Article 15 – Right to take part in cultural life and benefits of scientific progress

Cultural policy objectives

579. The Swedish Riksdag adopted new objectives for the national cultural policy (Government Bill 2009/10:3, Report 2009/10:KrU5, Riksdag Communication 2009/10:145) in 2009. Culture is to be a dynamic, challenging and independent force based on the freedom of expression. Everyone is to have the opportunity to participate in cultural life. Creativity, diversity and artistic quality are to be integral parts of society's development.

580. To achieve these objectives, cultural policy is to:

- Promote opportunities for everyone to experience culture and participate in education and to develop their creative abilities;
- Promote quality and artistic renewal;
- Promote a dynamic cultural heritage that is preserved, used and developed;
- Promote international and intercultural exchange and cooperation;
- Pay particular attention to the rights of children and young people to culture.

581. These new objectives should give culture better conditions to form an integral part of the development of society and the vigour to meet future opportunities and challenges. There is now a clearer emphasis on the intrinsic value and independence of culture, the citizen's perspective and the role of culture in society than in previous objectives. A

significant step is that the right of children and young people to culture is also affirmed. Society is to be characterised by a wealth of cultural manifestations, irrespective of the area in which they appear. There is no obvious discrepancy between commercial viability and artistic quality or freedom. These objectives are to govern central government measures, but should also provide guidance for public actors at a regional and local level.

Division of responsibility

582. The State and local government share the responsibility for public support for cultural life. The State finances central government cultural institutions and provides support for local and regional cultural activities. The national cultural policy has been reformed in recent years as of the introduction of a new model for distributing central government funds to regional and local cultural activities in 2011. This model (*kultursamverkansmodellen* – the model of cultural cooperation) means that the regional level (county councils) is responsible for and has the freedom to distribute certain central government funds to cultural activities within each county. The model is aimed at promoting an improvement to the effectiveness of regional priorities and variations within the field of culture, and also at bringing culture closer to citizens. Twenty of the twenty-one counties were included in the model as of 2013. A precondition for inclusion in the model is that the county councils cooperate to produce a regional cultural plan and also that work is conducted in dialogue with civil society and professional cultural creators. Total government funds included in this model amount to just over SEK 1.2 billion.

583. There is a special grant for organisations that represent any of the national minority groups. The purpose of this grant is to promote valuable artistic and cultural policy development within activities relating to the culture of the Sami people and other national minorities. This grant is regulated by the Ordinance concerning Government Grants for Cultural Purposes (2012:517). Support from the culture budget has for many years also been disbursed to the Sami Parliament to finance grants for Sami NGOs at a local and national level for education and research as well as projects focussing on Sami culture. These grants are distributed by the Sami Parliament's Council for Cultural Affairs in accordance with established criteria and methods for the awarding of grants by the Parliament. Moreover, the Ájtte Swedish Mountain and Sami Museum and the Jewish Museum, which represent two of Sweden's national minorities, also receive special grants from the culture budget.

Cultural heritage and digitisation

584. One of the national culture policy objectives in Sweden is to promote a dynamic cultural heritage that is preserved, used and developed. Digital technology is an important tool for achieving this objective while helping to make the cultural heritage visible and make a greater impact on more areas of society.

585. The Government has approved a national digitisation strategy. The objective of this strategy is for more cultural activities, collections and archives to be stored digitally and made available electronically to the public. All government institutions that compile, preserve and make cultural heritage material and information accessible shall have a plan for digitisation and making their collections accessible. The strategy includes guidelines for how this work is to be implemented and followed up. The strategy applies for the period 2012 to 2015. The National Archives Coordination Secretariat (Digisam) will support the institutions by, for instance, producing general advice on setting priorities for their digitisation projects. Digisam has also been mandated to follow up and evaluate work on the strategy. A key starting point for the strategy is to meet the commitments made by Sweden in relation to Europeana (the European digital library).

586. There has been rapid progress in the digitisation of cinemas in Sweden in recent years. Eighty-two per cent of all cinemas (655 out of a total of 816) had been digitised by March 2013. Digitisation has simultaneously led to a rapid reduction in the number of analogue copies of films, and cinemas that have not been digitised are at risk of exclusion. The Government has decided to appropriate a total of SEK 60 million over three years (2011–2013) to digitise cinemas, as the technology shift requires considerable investments on the part of cinema owners. This grant, which is administered by the Swedish Film Institute, specifically targets cinemas in districts with up to 250,000 residents or cinemas that mainly offer a supplementary range of quality films from a variety of linguistic areas.

587. The Swedish Film Institute and the National Library of Sweden have cooperated in the digitisation of the audiovisual heritage through the website filmarkivet.se. Films from the collections of these institutions are provided free, primarily short and documentary films, advertising films and other types of informational films commissioned by corporations and public institutions. Up until now film material has been difficult to access, but is of interest to both the general public and the research community. The website was launched in 2011 and has attracted considerable interest.

Children and young people

588. The objectives of the national cultural policy of 2009 state that particular attention is paid to the rights of children and young people to culture. The Swedish Arts Council has a coordination mandate within the field of child and youth culture. This has been strengthened in recent years resulting in, among other things, a website. This will help to promote greater knowledge development within this area.

589. Sweden's national cultural institutions have been mandated to integrate a children's perspective into their activities and they have also designed strategies for their work with children and young people for the period 2012 to 2014. Government support for independent performing arts targeted at children and young people has been strengthened, and young people under the age of 19 have free entrance to Sweden's national museums.

590. Government support for sport is undertaken from the child rights perspective and aims to support activities that help to develop the interest of children and young people in physical exercise and sport, enabling everyone to engage in sport and physical exercise and actively fight doping in sport. A low rate of VAT for tickets to sports events will help to broaden accessibility for the population.

591. The Government launched the Creative Schools Initiative in 2008 aimed at strengthening the work of schools in the area of culture. This initiative applies to both state and independent schools. The objective is the long-term integration of cultural and artistic expression into the work of schools through greater collaboration with cultural operators, which will lead to better achievement of the educational targets. The Creative Schools Initiative, which amounts to SEK 170 million, has encompassed all years of compulsory school since 2011 and will also encompass preschool classes as of 2013. The Swedish Arts Council is responsible for distributing these grants.

592. The Swedish Film Institute distributes support for film in schools, among other things, through the School Cinema initiative and support for film pedagogic projects; the Institute also produces materials for schools in the form of the film guides and film packs. Support for film activities for children and young people at a regional and local level is now largely distributed through the model of cultural cooperation.

Participation and accessibility

593. It is stated in the objectives of the cultural policy that everyone is to have the opportunity to participate in cultural life. All Government initiatives within the area of

culture shall therefore consider people with disabilities. Orientation objectives within the areas of culture, media and sport are as follows (Communication 2009/10:166):

- The opportunities for people with disabilities to participate in cultural life will increase;
- A disability perspective shall be integrated into the regular allocation of grants in the cultural field;
- Media services and films will more often be developed in ways and formats to improve access for people with disabilities.

594. The Government adopted a strategy in the summer of 2011 for the implementation of disability policy in Sweden during the period 2011 to 2016. The aim of the strategy is to present the direction of policy, including concrete objectives for society's initiatives and how results are to be followed up over the forthcoming five years. The Swedish Arts Council and the Swedish National Heritage Board are the sectoral authorities within the area of culture that have been mandated to coordinate, support and drive forward development in order to achieve the national disability policy objectives. Within the framework of this strategy and based on the indicative objectives, the sectoral authorities responsible within the priority areas were instructed to present proposals for interim targets, including a structure for how these targets are to be followed up. Since this time and based on the new strategy for the implementation of disability policy during the period 2011 to 2016, the Swedish Arts Council and the Swedish National Heritage Board have concretised the operational interim targets, including a structure for how these targets are to be followed up.

595. The interim targets for the Swedish Arts Council are for:

- All cultural institutions within the areas of theatre, dance, music, literature, libraries museums and art exhibitions that receive government grants to have an action plan to increase accessibility by 2013;
- All cultural institutions within the areas of theatre, dance, music, literature, libraries, museums and art exhibitions that receive government grants to have removed easily shifted obstacles by 2016. This also applies to independent groups, among others, to the extent that may be considered reasonable; and that
- All cultural institutions within the areas of theatre, dance, music, literature, libraries, museums and art exhibitions that receive government grants to have websites and e-services that have been adapted for access by 2016; this also applies to independent groups, among others, to the extent that may be considered reasonable.

596. The interim target for the Swedish National Heritage Board is to have an exemplary, coordinating, supportive and driving position in the work to implement disability policy at a national and regional level, so that people with disabilities, to a reasonable extent, are better placed to operate within the Swedish National Heritage Board's area of responsibility and enjoy access to its services.

597. Technical advances affect cultural life in different ways and have resulted in entirely new opportunities for people with disabilities. For this reason, the Government instructed the Swedish Arts Council in 2013 to collaborate with the Swedish National Heritage Board, Handisam, Swedish Post and Telecom Authority and other actors concerned to survey how digital technology can be used to make culture accessible to people with disabilities. This mandate also includes describing how this work can be developed in the future using good practices as a starting point. A summary report on the mandate is to be delivered by 1 March 2014.

598. The Swedish Agency for Accessible Media is working to provide accessibility to, among other things, literature and newspapers for people with print disability. This is done by producing and lending talking books and books in braille via libraries and by providing support for the publication of talking newspapers. The objective is that talking book production will amount to at least 25 per cent of annual book publishing. Technology for the production and distribution of talking newspapers is currently being developed and modernised to increase accessibility to the content of newspapers and improve the opportunities of users to enjoy such content.

599. Since 2000, the Swedish Film Institute has distributed support to film and video for the audio description and subtitling of films in the Swedish language produced in Sweden for cinemas and DVDs. In addition to Swedish, reference to the "Swedish language" also includes the national minority languages of Sami, Finnish, Meänkieli, Romani Chib and Yiddish. This support amounted to approximately SEK 1.5 million in 2012. The objective of this support is to make films more accessible for people with disabilities and people belonging to national minorities. Priority will be given to films for children and young people. A clause, stating that a necessary condition for a film to receive production funding is that the film can be exhibited with Swedish subtitles, has been incorporated into the new Film Agreement, which forms the basis of Swedish film production for the period 2013 to 2015.

Participation and minorities

600. In 2013, the Film Agreement defined a film as Swedish subject to the precondition that the film has a Swedish producer and that the participation of Swedish artists is of substantial importance. However, a film that does not have a Swedish producer is still to be considered Swedish if the film satisfies the requirements laid down in the European Convention on Cinematographic Co-Production. No requirement is imposed for which language is spoken in the film. Filmpool Nord (regional production centre for film and television production) provided support to six projects in Sami, two in Meänkieli and one in Romany during the period 2010 to 2012. The projects often cover several languages simultaneously. Seven projects in Sami/Swedish and one in Romany were being developed during the spring of 2013.

601. The Institute for Language and Folklore distributes grants for revitalisation initiatives for the national minority languages of Finnish, Yiddish, Meänkieli, Romani Chib and Sami with a view to affording individuals better prospects of acquiring and using their minority language. Applications for these grants can be made by associations, clubs, organisations or foundations that are not central or local government and that pursue activities in Sweden on a non-profit basis. Applicants may also apply for grants together with other associations, clubs, organisations, foundations or municipalities.

602. The Swedish Arts Council provides operating grants and projects grants for the national minorities' cultural activities. The Sami Parliament decides on the distribution of the government grant for the Sami people. This grant is distributed to Sami culture and Sami organisations. The objective is to promote a strong and diverse Sami artistic and cultural life. The Swedish Arts Council also provides grants for the publication of literature in national minority languages and literature in Swedish that is considered to be of importance to the national minorities.

603. Conditions for governmental support for the press are regulated by the Press Subsidies Ordinance, which, among things, includes financial support rules for daily newspapers that are directed at linguistic minorities. This includes newspapers that are completely or partly in Finnish and which receive press subsidies. There are currently no newspapers in Sweden in Sami or Meänkieli. The Government mandated the Sami Parliament on 22 December 2010 to implement a feasibility study in consultation with the

Swedish Tornedalian Association on the prerequisites for cross-border newspaper cooperation in Meänkieli and Sami.

604. Using the Sami Parliament report as a basis, the Press Subsidies Committee delivered an interim Report on 30 September *2012 Stöd till dagstidningar på samiska och meänkieli* [Support for daily newspapers in Sami and Meänkieli] (Swedish Government Official Reports – SOU 2012:58), which included a number of proposals to make it easier for newspapers that are completely or partly in Sami or Meänkieli to qualify for operational subsidies. The interim report has been referred for consultation and supporting information is currently being dealt with by the Government Offices. It is intended that the amendments to the Press Subsidies Ordinance will enter into force from 2014. The Press Subsidies Ordinance applies up to 31 December 2016 in accordance with the State aid approval from the European Commission. For this reason, the Press Subsidies Committee has also been mandated to analyse the criteria that will form the basis of future support to the daily press and to submit proposals on the structure of such support. The Committee is also to consider the national minorities in this work. The Press Subsidies Committee is to deliver a final report on this mandate by 31 August 2013.

Media policy objectives

605. The media policy objective is to support freedom of expression, diversity, the independence and accessibility of the mass media, and to combat harmful elements in the mass media. Public service broadcasters (i.e. Sveriges Radio AB (SR), Sveriges Television AB (SVT) and the Swedish Educational Broadcasting Company (*Sveriges Utbildningsradio AB* – UR)) are required under their broadcasting licences to offer a broad range of programmes. Their programme activities are to place particular emphasis on high quality in all genres, developing new content and forms of presentation.

606. Programmes shall be structured so that they cater for the different interests and needs of the entire Swedish population by virtue of their accessibility and diversity. SR, SVT and UR have an important responsibility for considering, among other things, the needs of people with disabilities, and also the interests of linguistic and ethnic minorities, which is also reflected by the conditions of their broadcasting licences. Programmes for children and young people represent another priority area, where special consideration is taken of the language needs of children and young people who belong to linguistic and ethnic minority groups. Current broadcasting licences apply up to and including 2013.

607. The Government made a decision on 16 June 2011 to appoint a committee mandated to analyse the conditions for public service radio and television and to submit proposals for the amendments needed ahead of the next licence period, which will begin on 1 January 2014. On 11 September 2012 the Public Service Committee submitted a report *Nya villkor for public service* [New conditions for public service] (Swedish Government Official Reports – SOU 2012:59) which, among other things, includes proposals for an increase in the programming offered by broadcasters in national minority languages together with new requirements for broadcasters as regards accessibility services for people with disabilities. The Report is currently being dealt with by the Government Offices with the intention that a Government Bill be submitted to the Riksdag during the spring of 2013.

Copyright

608. The Swedish Constitution states that authors, artists and photographers shall own the rights to their works in accordance with the statutory rules. This rule means, among other things, that there should be copyright legislation that has been passed by the Riksdag. More detailed provisions concerning the protection of authors, artists and other similar categories of "right holders" are contained in the Act on Copyright in Literary and Artistic Works (1960:729). This Act has been amended on a few occasions since the last report.

609. Amendments to the Copyright Act entered into force on 1 April 2009 as a consequence of Sweden's implementation of the Directive concerning civil law sanctions to protect intellectual property rights ("Directive on the Enforcement of Intellectual Property Rights"). These amendments to the legislation mean, among other things, that a Swedish court can decide whether an Internet Service Provider should give a right holder information about which subscribers have had a particular IP number at a particular time (information injunction).

610. These statutory amendments create a real possibility for right holders to use the civil remedies that currently exist. The Copyright Act was amended on other occasions, among other things, as a consequence of the implementation of a second European Union Directive. The Resale Right Directive was implemented in 2007. This led to amendments of the provisions relating to resale rights, i.e. the originator's right to compensation upon onward sale of works of art.

611. Certain amendments were made in 2010 as a result of the Audiovisual Media Services Directive. New restrictive provisions were introduced providing an opportunity for television companies to use extracts from broadcasts of events of high interest to the public. Furthermore, new licence agreement provisions entered into force on 1 April 2011 concerning the reuse of works protected by copyright in broadcasters' archives. These provisions make it easier to reach comprehensive agreements concerning the reuse of such material.

612. Public lending right remuneration comprises State remuneration for originators (authors, translators, artists and photographers) for the lending of literary works at public and school libraries in Sweden. Public lending right remuneration is distributed by the Swedish Authors' Fund, first in the form of individual remuneration, and second in the form of various types of grant and awards for the originators of the literary works. The amount of the public lending right remuneration is determined by multiplying the total number of Swedish original works — and works translated into Swedish — that have been lent out by a certain number of Swedish öre. In addition to this, originators also receive remuneration for reading that takes place on the libraries' premises. The basic amount of this remuneration for 2013 amounts to SEK 1.37, and total remuneration to SEK 133,746,000. In addition to public lending right remuneration, the Swedish Authors' Fund also allocates awards and grants to, among others, authors.

613. The Inquiry on Literature, which submitted its proposal in the autumn of 2012 in the report *Läsandets kultur* [The Culture of Reading] (Swedish Government Official Reports – SOU 2012:65), has been instructed to review conditions for authors of literature. Proposals from the Inquiry on Literature are currently being dealt with by the Government Offices.

614. Support, amounting to SEK 9 million in 2013, has been provided within the framework of the 2013 Film Agreement for measures against the unlawful use of film.

Publishing research results

615. The Government strongly emphasises the importance of close partnerships between higher education and the rest of society. It is prescribed by the Higher Education Act (1992:1434) that the task of universities and university colleges includes working together with the surrounding community and providing information about their activities, as well as taking action to ensure that the results of research carried out at universities and university colleges are put to good use.

616. The Swedish Research Council provides the general public with information about ongoing research and research findings via the Internet site forskning.se and publications. The Swedish Research Council also initiates and coordinates different events to increase awareness of research content and to improve communication between researchers and

society in general. All Swedish universities and university colleges have access to current research information via a database. A non-governmental organisation *Vetenskap och Samhälle* [Science and Society] receives government grants to promote the exchange of information between the general public and the research community. Researchers that receive support via the Swedish Research Council shall use open access publishing, i.e. with free accessibility to research results. In this way, anyone with access to the Internet can freely read and download the research results.

Free research with respect for the individual

617. Legislation was passed on 1 January 2004 concerning the ethical review (ethical vetting) of research involving humans (Ethical Review of Research involving Humans Act (2003:460)). This Act regulates the ethical review of research involving humans and biological material from humans. It also contains regulations concerning consent to such research. From 1 June 2008 the Act also applies to research that includes the processing of sensitive personal data – regardless of whether or not the subject of the research has given their consent. The purpose of the Act is to protect individuals and respect for human dignity when research is conducted. Ethical reviews are conducted by six regional boards. Appeals against and referrals of matters are to be made to the Central Ethical Review Board. The Central Ethical Review Board is also responsible for ensuring compliance with this Act.

International cooperation

618. Swedish universities and university colleges participate in a large number of international cooperation projects and have agreements with many countries around the world. This international cooperation primarily takes place through direct cooperation between Swedish researchers and researchers in other countries. Such cooperation is funded by grants from both Swedish and international governmental research funders and private research funders. The Government has presented several measures to facilitate such cooperation in its latest Research and Innovation Bill (Government Bill 2012/13:30). For example, there has been an increase in the resources allocated and improvement to the socio-study conditions. Furthermore, the Government has adopted a strategy for international cooperation within research and research-based innovation (U2012/4853/F) that aims to provide long-term guidance and support for both political and operational decisions.

Education and training within the area of culture

619. The work of Swedish schools has encompassed art and culture, creative work and aesthetic learning processes for some time – both in aesthetic and other subjects. It is stated in the National Curriculum for compulsory schools (Lgr 11) that pupils should be encouraged to try out and develop different modes of expression, such as drama, rhythm, dance, music and creativity in art, writing and design. They are also to experience and learn from literature, film and theatre and gain an insight into cultural life.

620. There are opportunities for responsible authorities to organise education within different cultural branches within the framework of general education, for example by utilising time within the framework of the pupil's and school's choice of artistic and aesthetical instruction. Art and music are both subjects that offer artistic and aesthetical instruction to all students. Teaching in art should aim to help pupils develop a knowledge of how pictures are created and can be interpreted. Through teaching, pupils should gain experience of visual cultures comprising film, photos, design, art, architecture and various environments. Teaching in music should aim to help pupils develop a knowledge that makes it possible to participate in musical contexts, both where they play and listen to music.

621. SEK 170 million per year is being distributed to pre-school classes and school years 1 to 9 within the framework of the Government's Creative Schools Initiative to improve access to all manifestations of culture and opportunities for children to develop their own creativity, based on the school curriculum. The Creative Schools Initiative can thus help to meet the school's knowledge requirements. The Creative Schools Initiative gives the school's responsible authority the opportunity to obtain financial support for greater collaboration with professional cultural life and the promotion of children's and young people's creativity. The long-term aim is to integrate cultural and artistic expression into compulsory school. One condition for support is that a strategic action plan has been drawn up. The variety embraced by the Creative Schools initiative is, and should be, large. Actors or writers may be invited to work with pupils and teachers at one or a number of schools over a longer period. Long-term cooperation projects could be established between schools and libraries, county theatres or art galleries.

622. Both preparatory and professional dance education is available in Sweden. Preparatory dance education comprises school years 4 to 9 at compulsory school. The purpose of preparatory dance education is to offer education and training in dance to pupils at such a level of technical skill and artistic expression that they are ready to be accepted for and pursue professional dance education. The purpose of professional dance education is to offer professional education in classical ballet and contemporary dance to students.

623. There are no specialisms in professional dance, but the education provides an opportunity to specialise in classical ballet or contemporary dance within the framework of the programme specialisation. The objective of the education is that students will be able to enter the dance profession on the national or international dance and ballet stages. This education is provided by the Royal Swedish Ballet School in Stockholm.

624. Programmes in fine, applied and performing arts are held at a number of institutes of higher education, including small specialised higher education institutions, and also some universities. Universities and university colleges are entitled to award Bachelor degrees in the fine arts, including the University College of Arts, Crafts and Design, the Royal College of Music, the University of Dance and Circus, the University College of Opera and the University of Gothenburg.

625. The Art, Music and Drama Programme (Arts Programme) is available at upper secondary level. This is a programme preparatory for higher education directed at students who want to work within fields of art, humanities and social sciences. This education forms the basis of further studies in the subjects of aesthetics, humanities and social sciences at universities and university colleges. The Arts Programme has five specialisations: Image and design, Dance, Aesthetics and media, Music and Theatre.

International cultural exchange and partnerships

626. It is indicated by the cultural policy objectives that international and intercultural exchange and cooperation will be afforded attention and promoted. The internationalisation of society provides better opportunities for cultural life to develop. It is just as important for Swedish culture to reach across borders as it is for Swedish culture to be open to inspiration from other countries. It enlivens audiences and cultural practitioners and can provide new knowledge and perspectives. From the point of view of cultural policy, it is important to insist on the necessity of quality, artistic integrity, mutuality and sustainability in international exchanges.

627. Increased international contacts have contributed significantly to society becoming intercultural, with a mixture of expressions and experiences, both at an individual and societal level. Intercultural exchange, like international exchange, is extremely important for the development of cultural life. Sweden was one of the first thirty countries to ratify the

UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which entered into force in 2007.

628. It is stated in the Government's governance documents for government authorities and institutions that they should integrate an international and intercultural perspective into all of their activities. Sweden participates in and drives development within the area of cultural policy in various international contexts, for example, within UNESCO, the Council of Europe, the European Union, Nordic cooperation and also via eight special Counsellors for Cultural Affairs.